

TRANSCRIPT OF PROCEEDINGS

INQUIRY INTO THE COVID-19 HOTEL QUARANTINE PROGRAM

BOARD: THE HONOURABLE JENNIFER COATE AO

DAY 11

10.00 AM, WEDNESDAY, 2 SEPTEMBER 2020

MELBOURNE, VICTORIA

**MR A. NEAL QC appears with MS R. ELLYARD, MR B. IHLE,
MR S. BRNOVIC and MS J. MOIR as Counsel Assisting the Board of Inquiry**

MS J. DAVIDSON appears for the Chief Commissioner of Victoria Police

**MS J. FIRKIN QC appears with MS S. KEATING and MR S. STAFFORD for
the Department of Environment, Land, Water and Planning**

**MS C. HARRIS QC appears with MS P. KNOWLES and MR M. McLAY for
the Department of Health and Human Services**

**MS J. CONDON QC appears with MS R. PRESTON and MR R. CHAILE for
the Department of Jobs, Precincts and Regions**

**DR K. HANSCOMBE QC appears with MS H. TIPLADY for the Department
of Justice and Community Safety**

MR R. ATTIWILL QC appears with MS C. MINTZ for the Department of Premier and Cabinet

MR J. GRAHAM appears for Meteorite Land (Pearl River) Pty Ltd as trustee for the Meteorite Land (Pearl River) Unit Trust, trading as the Four Points by Sheraton Melbourne, Docklands

MS A. ROBERTSON appears with MS E. GOLSHTEIN for MSS Security Pty Ltd

MR A. WOODS appears for Rydges Hotels Ltd

MR J. BRERETON appears for Sterling Pixxel Pty Ltd, trading as Sterling Security Group and Mr Sorav Aggarwal

MR A. MOSES SC appears with MS J. ALDERSON for Unified Security Group (Australia) Pty Ltd

MR M. ALLEN appears for United Risk Management Pty Ltd and Mr Mina Attalah

MR R. CRAIG SC appears with MR D. OLDFIELD for Wilson Security Pty Ltd

MS D. SIEMENSMA appears for Your Nursing Agency (Victoria) Pty Ltd

CHAIR: Good morning, Ms Ellyard.

MS ELLYARD: Good morning, Madam Chair. Before we begin, there are a couple
5 of new appearances to be announced, the first on behalf of Mr Aggarwal and Sterling
Security Group, I invite them to make their appearance.

MR BRERETON: May it please the Inquiry, my name is Brereton, and I appear for
10 both the witness Mr Aggarwal and also the security company for which he's a
director.

CHAIR: Thank you, Mr Brereton.

MS ELLYARD: The second is on behalf of Mr Attalah and United Risk
15 Management.

MR ALLEN: If the Board pleases, my name is Allen, I appear on behalf of United
Risk Management Pty Ltd and Mr Mina Attalah.

CHAIR: Thank you, Mr Allen.
20

MS ELLYARD: I am not aware of any other appearances, Madam Chair. As you
will see, we are proposing to call evidence from four witnesses this morning as part
of a panel. I will call them individually for the purposes of them being sworn by
your associate. The first witness that I call is Mr Sorav (Sam) Aggarwal.
25

CHAIR: Thank you, Ms Ellyard.

Now, Mr Aggarwal, as you heard Ms Ellyard say, you need to be formally sworn in
for the purpose of giving your evidence, and we will need to do that with each of the
30 panel members one by one, so starting with you, I will hand you over to my
associate, who will take you through your solemn promise. Thank you, Madam
Associate.

35 **SORAV AGGARWAL, SWORN**

CHAIR: Thank you.

40 MS ELLYARD: The next witness that I call is Mr Mina Attalah.

CHAIR: Mr Attalah, I'll ask you to do the same with my associate, please.

45 **MINA RAFIK RAMZY ATTALAH, SWORN**

CHAIR: Thank you.

MS ELLYARD: The next witness I call is Mr Ishu Gupta.

5 CHAIR: Mr Gupta, I'll ask you also to take a solemn promise with the assistance of my associate. Thank you, Madam Associate.

10 **ISHU GUPTA, SWORN**

CHAIR: Thank you, Mr Gupta.

15 MS ELLYARD: The fourth witness is Mr Rob Paciocco.

CHAIR: Mr Paciocco, you too will be asked to take the solemn promise with the assistance of my associate now. Thank you, Madam Associate.

20 **ROBERT BRUNO PACIOCCO, SWORN**

25 CHAIR: Thank you, Mr Paciocco, you can put the Bible down. I'll hand all members of the panel now over to Ms Ellyard. Thank you, Ms Ellyard.

EXAMINATION BY MS ELLYARD

30 MS ELLYARD: Mr Aggarwal, could you please tell the Board your full name and the business you run?

35 MR AGGARWAL: My full name is Sorav Aggarwal and the business is Sterling Pixxel Pty Ltd, trading as Sterling Security Group.

MS ELLYARD: You have made a statement in response to a request made of you by the Board?

40 MR AGGARWAL: Yes.

MS ELLYARD: Have you got a copy of that statement with you?

MR AGGARWAL: Yes.

45 MS ELLYARD: It is dated 12 August 2020. Are the contents of that statement true and correct?

MR AGGARWAL: Yes, it's true and correct.

MS ELLYARD: I tender that statement, Madam Chair.

5 CHAIR: Exhibit 51.

EXHIBIT # 51 - STATEMENT OF SORAV AGGARWAL

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MS ELLYARD: Turning to you, Mr Attalah, could you please tell the Board your full name and the business that you run?

15 MR ATTALAH: My full name is Mina Attalah and the business is United Risk Management Pty Ltd.

MS ELLYARD: You too have made a statement in response to a request from the Board?

20 MR ATTALAH: Yes, that's correct.

MS ELLYARD: Do you have a copy of it in front of you?

MR ATTALAH: I do.

25

MS ELLYARD: It is dated 17 August 2020?

MR ATTALAH: Correct.

30 MS ELLYARD: Are the contents of it true and correct?

MR ATTALAH: Yes, it is, but I would like to clarify a matter around the rates of pay.

35 MS ELLYARD: Yes, and I'll come to that in your evidence. Thank you, Mr Attalah.

With that clarification foreshadowed, Madam Chair, I tender that statement.

40 CHAIR: Exhibit 52.

EXHIBIT #052 - STATEMENT OF MINA ATTALAH

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CHAIR: Ms Ellyard, are there documents attached to these statements that you want to tender separately?

MS ELLYARD: No, Madam Chair, the attachments are available in the hearing book but I don't propose to tender them.

5 CHAIR: Thank you.

MS ELLYARD: May I turn to you, Mr Gupta. Could you please tell the Board your full name and the company which you run?

10 MR GUPTA: My full name is Ishu Gupta and the company I'm one of the directors for is The Security Hub Pty Ltd.

MS ELLYARD: You have also made a statement in response to a request from the Board?

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MR GUPTA: Yes, that's correct.

MS ELLYARD: It's dated 17 August 2020. Do you have a copy of that in front of you?

20

MR GUPTA: Yes, I do.

MS ELLYARD: Are its contents true and correct?

25 MR GUPTA: The contents are true and correct to the best of my knowledge.

MS ELLYARD: I tender that statement, Madam Chair.

CHAIR: Exhibit 53.

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EXHIBIT #053 - STATEMENT OF ISHU GUPTA

35 MS ELLYARD: Finally, turning to you, please, Mr Paciocco, could you tell the Board your full name and the business that you run?

MR PACIOCCO: Yes, Robert Paciocco, Black Tie Security.

40 MS ELLYARD: You have made a statement that's dated 18 August 2020 in response to a request from the Board?

MR PACIOCCO: That's correct.

45 MS ELLYARD: Are the contents of that statement true and correct?

MR PACIOCCO: Yes, they are.

MS ELLYARD: Have you got a copy there with you?

MR PACIOCCO: Yes, I do.

5

MS ELLYARD: I tender that statement, Madam Chair.

CHAIR: Thank you. Exhibit 54.

10

EXHIBIT #054 - STATEMENT OF ROBERT PACIOCCO

MS ELLYARD: May I begin by asking each of you --- and I'll direct your attention to each in turn --- the ordinary work carried on by your business.

15

Beginning with you, Mr Aggarwal, you deal with it at paragraph 10 of your statement. Prior to becoming involved in the Hotel Quarantine Program, what were the ordinary business services carried out by your business and for what kind of clients?

20

MR AGGARWAL: So prior to the Hotel Quarantine Program we have supplied a couple of clients, labour services, regarding security guard service, in the retail sector and in asset protection.

25

MS ELLYARD: Mr Attalah, you deal with this too at paragraphs 4 and 5 of your statement. What was the ordinary work and clientele for your business prior to your involvement in the Hotel Quarantine Program?

30

MR ATTALAH: Prior to the Hotel Quarantine Program, we specialised in major events held in Melbourne and retail work.

MS ELLYARD: When you say major events, can you give us an explanation of what you mean when you say major events?

35

MR ATTALAH: So footy, tennis, Formula 1, Melbourne Cup, those kinds of events.

MS ELLYARD: Mr Gupta, you deal with this matter at paragraphs 4 and 5 of your statement. What's the ordinary services and client base for your company?

40

MR GUPTA: The ordinary service is labour hire for armed and unarmed security guards and crowd controllers. For us, we have been involved with MSS as a subcontractor for three and a half years and that's the major realm of work that we do. In doing that work, we attend to major events, as Mr Attalah mentioned, that we do Melbourne Cup, Australian Open, Grand Prix, Royal Melbourne Show, these are the big ticket events that we have done in the past three and a half years. Also, apart from that, we do regular work at Australia Post, detention centres, regular retail sites

45

and distribution centres and hospitals, et cetera, and even court appearances, for and on behalf of MSS.

5 MS ELLYARD: Mr Paciocco, you deal with the matter at paragraphs 3 and 4 of your statement. What's the ordinary business and client base of your company?

10 MR PACIOCCO: Yes, we tend to deal with very small part of the security industry market, it's more the higher end of security, so we do a lot of work with major catering companies, where we supply guards for mainly events. We do a lot of corporate events as well, we do --- we do Spring Racing Carnival in the Birdcage area with some of the major marquees --- well, the major marquee, Lexus marquee, and a number of others. I think that probably gives you the gist of what we do.

15 MS ELLYARD: I want to ask each of you about how it was that your companies came to be involved in the Hotel Quarantine Program. Just sticking with you for a moment, please, Mr Paciocco, for which head contractor did you provide services in the Hotel Quarantine Program?

20 MR PACIOCCO: Wilson Security.

MS ELLYARD: And I understand that your company had a pre-existing arrangement with Wilson Security that's unrelated --- that predated the Hotel Quarantine Program; is that right?

25 MR PACIOCCO: We --- I actually reached out to Wilson Security because all of our events bases closed within a matter of 72 hours in late March, so yes, I reached out to Wilson and that's how the relationship began.

30 MS ELLYARD: Thank you. Mr Gupta, for which head contractor or contractors did your company provide security services?

MR GUPTA: For the Hotel Quarantine Program we worked with MSS Security and Wilson Security.

35 MS ELLYARD: At the same time or at different times?

MR GUPTA: So they were overlapping. We started off with Wilson Security and within a week of starting with Wilson we started along with MSS Security as well.

40 MS ELLYARD: Mr Attalah? Which contractor?

MR ATTALAH: So for the hotel quarantine we were dealing with MSS Security.

45 MS ELLYARD: And finally Mr Aggarwal, for which head contractor did your company provide services?

MR AGGARWAL: Our company has provided services with Unified Security

Group.

MS ELLYARD: Staying with you, Mr Aggarwal, were you at any time provided with documentation which showed what the head contract was, the contract between
5 the Government and Unified?

MR AGGARWAL: No, we have never been provided that document.

MS ELLYARD: Mr Attalah, perhaps directing your attention to paragraph 17 of
10 your statement, did you receive documentation from your head contractor relating to the terms on which they had been engaged by the Government?

MR ATTALAH: Yes, that's correct. When we were appointed, I received an email
15 from MSS attaching a copy of the purchase order contract.

MS ELLYARD: Mr Gupta, again paragraph 17 of your statement, for your
reference, did you receive documentation from one or both of the head contractors
setting out their particular role in hotel quarantine?

MR GUPTA: We did receive the POCs or the purchase order contracts from Wilson
20 Security on 4 May 2020, which was in fact after we finished our services at Wilson hotels and then we received the same POC, or a copy of the POC, from MSS Security on 10 June 2020, which is quite later in the scheme of things, because we started supplying the services on 6 April.
25

MS ELLYARD: And then, Mr Paciocco, you mentioned that you had reached out
and started a relationship with Wilson. Thinking particularly about the work that you
did in the hotel quarantine environment, were you provided with a copy of the head
contract as between Wilson and the Government?
30

MR PACIOCCO: Yes, I received that on 2 July.

MS ELLYARD: May I just then get each of you, so that the Board can understand
the nature and extent of your companies' roles, to tell us in summary which hotels
35 and for what periods of time each of your companies worked? Perhaps sticking with you, Mr Paciocco, what hotel or hotels did you provide services for?

MR PACIOCCO: It was just the one hotel, the Pullman Hotel, and we began on
Thursday, 28 May and we ceased work there at 6.30 am on Sunday, 5 July.
40

MS ELLYARD: So May till July?

MR PACIOCCO: Correct.

MS ELLYARD: Mr Attalah, turning to you, paragraph 12 of your statement, which
45 hotels and in what time periods did your company provide security services?

MR ATTALAH: So we started for the Travelodge on 10 April and ceased work there on 26 April. And then we started work at Stamford Plaza, we started there on 30 April all the way through to the week ending 28 June.

5 MS ELLYARD: Was there ever a time when you were working at two hotels at once or were they consecutive?

MR ATTALAH: No, they were consecutive, Travelodge finished and we moved straight into the Stamford.

10

MS ELLYARD: Mr Gupta, which hotels and over which periods of time did your company provide services? Again, it's paragraph 12 of your statement.

MR GUPTA: We provided services at Pan Pacific Hotel in South Wharf and this was from 3 April to 23 April. This was for Wilson Security. Then we provided services at Travelodge in Docklands from 10 April to 25 April, Stamford Plaza Hotel from 20 April to 2 July 2020, ParkRoyal Hotel from 6 April to 10 July 2020, and then Four Points by Sheraton from 29 April to 17 June 2020, for MSS Security.

20 MS ELLYARD: So you were providing services at multiple locations at the same time; is that right?

MR GUPTA: That's correct, yes, that's correct.

25 MS ELLYARD: Thank you. Turning to you, Mr Aggarwal, you deal with this at paragraph 17 of your statement. I won't ask you to read them all out. But you provided services at a large number of hotels across the Hotel Quarantine Program; is that right?

30 MR AGGARWAL: That's correct, yes.

MS ELLYARD: They relevantly include: the Travelodge in Southbank, Crowne Plaza, Pan Pacific Hotel South Wharf, Rydges on Swanston, the Crown Promenade and the Marriott Hotel?

35

MR AGGARWAL: Yes, and the Grand Chancellor Brady Hotel and the Comfort Inn, Portland.

40 MS ELLYARD: Thinking particularly about the Rydges Hotel, you have specified the periods of your involvement at Rydges. Could you just explain to the Board the circumstances in which you came to first start providing services at Rydges on 11 May?

45 MR AGGARWAL: Yes, so I had been contacted by Unified Security on 11 May that they have some issues with the current service providers, so they ask us if we can start on same day and take over from the hotel at 1800 hours.

MS ELLYARD: And that's what you did?

MR AGGARWAL: Yes, that's what we did.

5 MS ELLYARD: Thinking back to when you first started working in the Hotel Quarantine Program, Mr Aggarwal, you deal with this at paragraph 18 of your statement. When did you first get contacted and by whom about potentially working in the hotel quarantine security?

10 MR AGGARWAL: First we --- so we were first contacted by national operations manager from Unified Security, regarding some work start in hotels, in Crown, and then we --- when we went on site on the day on 29 March, and we been --- I been called by the national ops manager that the work is involved with the Hotel Quarantine Program on 29 March.

15

MS ELLYARD: So you attended at the hotels on 29 March?

MR AGGARWAL: Yes.

20 MS ELLYARD: And you provided staff who were involved with security service provision on 29 March?

MR AGGARWAL: That's correct.

25 MS ELLYARD: Can I turn to you, please, Mr Attalah. You deal with this at paragraph 13 of your statement. How did you first get contacted about providing services in hotel security?

30 MR ATTALAH: So I received a phone call from MSS in regards to hotel quarantine, thereabouts start of April, 5 or 6 April, saying that if we were interested in getting in to hotel quarantine work.

MS ELLYARD: And you were interested?

35 MR ATTALAH: Yes, we were.

MS ELLYARD: Mr Gupta, what about you, what was the way in which you came to understand that there was work for private security in the Hotel Quarantine Program?

40 MR GUPTA: We were contacted by Wilson Security on 1 April 2020, about the use of private security at the Hotel Quarantine Program and they, you know, wanted to know if we can start on the 3rd of the 4th, which we agreed, and from MSS we received a call on the 5th of the 4th and email confirmation, and because with MSS we had had a longstanding relationship for about three and a half years and, you
45 know, so they asked us if we can --- or we are interested in providing the services in the Hotel Quarantine Program and this was on 5 April and then we agreed and then we started providing services on 6 April onwards.

MS ELLYARD: Mr Paciocco, you stay at paragraph 13 of your statement that when you were first asked you said, "No". Could you explain to the Board how you were asked and why it was that you weren't interested at first?

5

MR PACIOCCO: Yes, correct. The --- it was late March, it was a phone call that I had with Wilson, just requesting if I was interested in putting a team together for one of the hotels. The hotel wasn't even mentioned, actually, I said, "Look, give me 48 hours and I'll get back to you." I spoke to approximately, you know, 40 of our team members and there was no real interest in doing any of that work. I think it was because there was so little known about the virus at the time, I only had interest from three people. I also contacted my subcontractor and they also said, look, we certainly have the numbers but we don't have the quality of people that I would normally require from them. So I got back to Wilson and said, no, we declined the work at the time.

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15

MS ELLYARD: When you say the quality of the people, can I just ask you to explain a little bit more. What do you mean when you talk about the quality of the people required for security work of this sort?

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MR PACIOCCO: Yes, look, the --- all the events we do in our regular venues require our people to be the first point of contact for the guests, so there's a few things that are a must, you know, you must, you know, present well in a suit, you must speak good and clear English, and, you know, always be very presentable. So that's --- we didn't have the numbers to be able to take that type of work on at the time.

25

MS ELLYARD: Okay. Mr Gupta, can I come to you. Did you have any difficulties in finding staff who were willing to work in hotel quarantine because of any concern about the virus and the risk of infection?

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MR GUPTA: To be honest, we've got, as mentioned in my witness statement, we had about 822 casuals on our books, before even the Hotel Quarantine Program started, and you know, over the program we supplied close to about 350 personnel. So we have always had that capacity to provide services and when we do major events, we go up to about 300 staff, at say a big event like Australian Open, so we have always been operation in that space. In terms of the quality, we have always maintained a good variety or pool of staff that are happy to work at different types, as I mentioned before as well, that we do detention centres and we do a variety of government types, so we did have the pool and obviously for the program we did hire new staff as well.

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40

MS ELLYARD: What about the question of concerns about the virus? Were there people who didn't want to work because they were worried about catching it?

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MR GUPTA: There would have been people who had shown concerns and, you know, obviously they would have been not hired for the program. But the majority

of the employees that we had working never showed any concerns, because, you know, the assumption was that there will be proper protection and PPE provided at the program.

5 MS ELLYARD: Mr Aggarwal, can I ask you, you obviously provided a large number of staff for a large number of locations. Did you experience any difficulties, firstly, with finding the right people and then, secondly, with any people not wanting to work because they were worried about infection?

10 MR AGGARWAL: Yes, when we started the Hotel Quarantine Program we were not required to provide that many labour services so we were requested a number of guards for one hotel, so it was not a start in just one day that we have to provide all that number of people in all hotels. Slowly, slowly it got building up, it built up by itself, and once we had taken over the hotels we have used our database where we
15 have put an ad before, on Seek, when we started our company, to running the company, then we created a database and from that database we have followed to contact people and because of COVID situation there's a lot of people was out of jobs because a lot of events gone down and there was nothing much in the market, so a lot of people was looking at jobs at that time. So it was --- it was not that hard, we didn't
20 find that hard that we have to find people hardly. But as per the concern of working in hotels, the guards, we have told them there's proper PPE available on the hotels and when they start the shift they will be provided with the PPE and the briefing and the training, so we never had that kind of problem from the guards.

25 MS ELLYARD: What about you, Mr Attalah, did you experience any difficulties either getting the numbers of the people that you wanted or because they were concerned about working in the hotel quarantine environment?

MR ATTALAH: When we were approached, I did contact my --- the pool guys that
30 we had and I did go it through these guys first to make sure I give them the first opportunity before I start hiring from outside. Being that we started very small at one hotel, I initiated using my own pool of guards that I had, as we increased, we increased the numbers.

35 MS ELLYARD: Was there any refusal or resistance to working because of concern about infection?

MR ATTALAH: There was some refusal, yes, they were afraid of infection because
40 COVID-19 was a new thing.

MS ELLYARD: Sticking with you, you mentioned just now, Mr Attalah, that you had a pool of people that you preferred to use before you went out more broadly. Does the Board understand from that that you use a combination of permanent staff and contracting staff in your business?
45

MR ATTALAH: Yes, that's correct, I use my permanent staff to start off with. If I need to get any extra staff, I outsource from Seek or I prefer to ask my current staff

to see if they have any referrals, that works a lot better in finding extra people out there, reliable.

5 MS ELLYARD: When people work for you, do you expect them to give you an undertaking or a promise that they won't work for other people as well?

MR ATTALAH: Given at the start, if I provide them with the correct amount of hours and so forth, that's the understanding, yes.

10 MS ELLYARD: But what about if it's more variable or seasonal, are you able to expect guards to not go looking for working elsewhere if they are getting work from you?

15 MR ATTALAH: During seasonal times, like when we have the events and so forth, because it fluctuates, they usually come back and work with me for the major events, given most of my staff have other part-time or full-time jobs out there, they come with me casually when we do have those major events.

20 MS ELLYARD: Mr Paciocco, you mention in your statement in response to question 7 that you yourself had both employees and access to other staff through a subcontractor?

MR PACIOCCO: Yes, correct.

25 MS ELLYARD: Is that standard for you, that you have core staff but other people who are called upon as and when required?

30 MR PACIOCCO: Yes, we normally use core staff for perhaps six months of the year. But under the normal circumstances, this would probably be the time of year when we start to get really busy, and I would introduce some subcontractors, I normally would, if the job involves five people, I would have one of my core people supervise the job along with a couple of other senior people and then use two subcontractors along with that job, to spread out. Because our work is ad hoc, I can't offer even our permanent people full-time work, even though they do a lot of
35 full-time hours at times. So I don't have an expectation that they don't go looking for other work either.

40 MS ELLYARD: What about you, Mr Gupta, you mentioned that you had a large database of people that you could call on. Do you have any expectations of people that they won't accept work from other subcontractors if they are working with you?

45 MR GUPTA: So our expectation is very clear that, you know, if they are working with us, obviously they are supposed to, because they are on casual employment, and as per fair work laws, you know, they are within their own rights to work with other contractors if they find work. So there's no, you know, explicit understanding that if you're working with us you are not supposed to work, but obviously if they are working with us on a regular basis throughout the program, then that expectation sets

in that they wouldn't work, because obviously if they are doing enough hours for us they wouldn't have time to go and work with somebody else, for that matter.

5 MS ELLYARD: What about you, Mr Aggarwal, you deal with this at paragraphs 15 and 16 of your statement, what was your expectation or experience about whether people working with you might also be looking for work with other people?

10 MR AGGARWAL: In the whole company, the guards who were working with us, especially in Hotel Quarantine Program, when we started that, there was no formal instruction to the guards not to go and work somewhere else, because of this COVID situation and they were working in COVID hotels and the quarantine program and we verbally encouraged everyone not to do work, because they was getting good hours while working with us in the hotels. So we strongly recommended to them that not to get any work out of this job.

15 MS ELLYARD: And what was the reason for that? You mentioned they are getting good hours. But was there any other reason why you had a preference that they not work elsewhere if they were working in a quarantine hotel with you?

20 MR AGGARWAL: Yes, because they was working with the hotels, the quarantine hotels because the feeling is the quarantine people was staying there and there are positive cases and we want to make sure that they are working there and they don't go out and take --- if something happens, we just want to take a precaution of that, so there's nothing go out in the community.

25 MS ELLYARD: Can I ask you some questions about, just to touch on recruitment, Mr Aggarwal. I think you are aware that the Board has heard evidence from a security guard who was known for the purposes of the Inquiry as Security 16, but who gave evidence in part about working for your company at Rydges. You're aware of that?

30 MR AGGARWAL: Yes, correct.

35 MS ELLYARD: One of the things he said in his statement was he described a process of effectively being hired by a text message where he had an exchange of text messages to prove his licence details and so forth and then was rostered to work at Rydges without having had a formal interview. Are you aware that that's his evidence?

40 MR AGGARWAL: I have, I'm aware of that evidence, but I want to give clarification on that, is the Security 16, so the first process for us is if we hire a guard we ask them if they have a security licence, but if they don't have a security licence, there's no point to talk to them because without a security licence you can't do a security job. So Security 16 has contacted our ops team that he's looking for a job, if
45 there is something available, and he had conversation with our operations team and phone interview was conducted over the phone and he's been told about the requirements and he's told about the job, what the job is, and that conversation been

followed by text message from our ops team and also to make sure that whatever he has been told, has been explained, is been given to him.

5 MS ELLYARD: The Inquiry has also heard some evidence, not specifically from Security 16, about the extent to which people were recruited using social media, like WhatsApp and things of that kind. Did your business recruit for the Hotel Quarantine Program using social media like WhatsApp or anything like that?

10 MR AGGARWAL: That's incorrect. We don't recruit people from social media at all, not any social channel.

15 MS ELLYARD: What about you, Mr Gupta, was there any use of social media, WhatsApp or anything else, in the way you identified and recruited for the Hotel Quarantine Program?

MR GUPTA: For us, I think I would like to clarify, when you refer to social media, social media entails not just only WhatsApp but it also includes Facebook, LinkedIn and other proper professional channels. And when I'm referring to social media I'm referring to Facebook as well as LinkedIn channels, I'm not referring to WhatsApp.
20 Yes, we did use those channels, social channels, Facebook or LinkedIn, we have a company page and we've got about 1,000 people with likes on the page, so obviously they follow us for a reason, because they are looking for work. Yes, we did indeed use that and we also used the employees' referral program. As I said, we've always had a large database and that helped us source more guards as and when required
25 when there was a surge requirement.

MS ELLYARD: Mr Attalah, what use, if any, did you make of social media, in the narrow or the broad definition, to find people for the work in hotel quarantine?

30 MR ATTALAH: For us, I prefer to use references from current staff that we have at the moment. But if all fails, we do go back to Seek and that kind of advertising places.

35 MS ELLYARD: Mr Paciocco, you detail in your statement that when you ultimately became involved in the Hotel Quarantine Program, some of the staff that you used came from a subcontractor?

40 MR PACIOCCO: Yes, that's correct. We had little numbers, so I used approximately four team members from a subcontractor, per shift.

MS ELLYARD: And then turning to the question of the numbers of people supplied to the program, you just mentioned there, Mr Paciocco, that the numbers were relatively limited. Is that right? Can you just explain to the Board by reference to paragraph 20 of your statement that I think you might want to clarify slightly, as
45 I understand it, what were the numbers of guard that you through your business put into the Hotel Quarantine Program at Pullman?

MR PACIOCCO: So on 28 May we began with five guards per shift, so it's 24 hours, so it was 10 guards per 24 hours. Shifts consisted of 6.30 am till 18.30 and then 18.30 until 6.30 am. There was a small period in June for approximately a week where the numbers exceeded 10 guards, I think we went up to 13 or 14 guards, but
5 that was only for a few days, and then we went back to the five guards per shift.

MS ELLYARD: Mr Attalah, turning to you, and you deal with this at paragraph 19 in your statement, what kind of numbers are we talking for you in terms of the numbers of people who you supplied for hotel quarantine work?
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MR ATTALAH: The numbers fluctuated throughout the hotels. For example, Travelodge we had numbers of five guards during the day, from 7.00 to 7.00 and about 14 guards during the night, 7.00 pm to 7.00 am. These numbers always fluctuated depending on how many guests were in the hotel and what the contractor, MSS, would provide us with rostering.
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MS ELLYARD: Mr Gupta, you deal with this at paragraph 19 in your statement as well. Just to get a sense of the scale of your company's involvement, what were the numbers involved from your point of view?
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MR GUPTA: At Pan Pacific there was a number --- I put a table there in my witness statement, the average number of guards, because the numbers fluctuated and I also provided a detailed response to the Board with the actual numbers each day. But if you were to seek averages, at Pan Pacific there were about 29 guards each day, rostered each day, so that would be further divided by two to reach each shift numbers. At Travelodge there were 28, at Stamford on an average about 69 guards, ParkRoyal about 24 and then Four Points by Sheraton about 10 guards. And, you know, also we need to put it in perspective that these were overlapping numbers because not all the hotels were operating simultaneously, so on an average there would probably be 70 to 80 guards maximum and then the numbers could be 10 guards on a certain day.
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MS ELLYARD: Mr Aggarwal, given the number of hotels that you provided services to, are you able to indicate to the Board, whether by reference to paragraph 25 of your statement or otherwise, the kinds of numbers of staff that you were sending to the hotels where your company was engaged?
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MR AGGARWAL: Yes, as Mr Attalah said, the number was fluctuating as per the hotels' requirements, so we started with the lower numbers when we started the first day at the first of the hotels and then it started increasing as the guests arrived in the hotels, and other hotels where we supplied the labour service, depends on what are the requirements from Unified, so we followed that requirement. And my understanding on 22 June 2020, there was a reduction around about 30 per cent, so that's where the numbers gone less. And by --- as we've been told by Unified, so basically whatever Unified has asked us to supply the numbers, we fulfilled that demand.
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MS ELLYARD: Coming back to you, Mr Attalah, you mention at paragraph 20 of your statement, and as you've just said, that the numbers might fluctuate and there would be sometimes quite limited notice of numbers going up or perhaps going down. Can I just ask you to explain, in practical terms how did that work if you were
5 receiving such short notice of the numbers that were required? What was the process that you went through to get the right numbers to the hotel at the right time?

MR ATTALAH: I would receive an email from the head contractor, MSS, saying that this hotel will have these numbers for these shifts, and they request for day shift
10 a certain number of guards and then for night shift a certain number of guards and we work along those guidelines that had been sent to us and if there's any changes later on, it's just adjusted with cancelling or adding extra requirements as they receive also from DHHS, if there's an increase in the fluctuation from a flight that's come in or not.

15 MS ELLYARD: Does that mean --- you say in your statement that sometimes you would have perhaps only a couple of hours' notice that additional guards were required.

20 MR ATTALAH: Yes, that's correct.

MS ELLYARD: Did you have available to you a pool of people to draw upon who were available to you to come in at that kind of short notice?

25 MR ATTALAH: Yes. So not everyone we had on board was working during that time at the start of hotel quarantine, so it wasn't too difficult to source guards out and also getting referrals from the staff that we have already working there, it was much easier to encourage more boys to come on board.

30 MS ELLYARD: Mr Gupta, turning to you, you have indicated that although they weren't all running at the same time, you were providing services across multiple hotels, how did you manage that, did each person only get rostered to one particular hotel or was there movement between sites?

35 MR GUPTA: As I said, some of the hotels were running in parallel, so obviously they were going on for a period of time then it would be safe to say these guards were working at the same hotel most of the time. As I said, we did have a pool of about 800 employees and then we added further more to that pool and we only end up supplying about 340-odd guards in total across the program and that would entail
40 some people just doing one shift or two shifts, so that number looks high but in a real sense it could be about 160 guards on a given day, and with what we had as a pool, I think we never had challenges. I think it also boils down to planning as well, it's like a major event, when you do a major event, there's last-minute requests and there is last-minute cancellations, and what not, and working in that environment, in that
45 pressure environment for the last three and a half years, I think we have become accustomed to those requests.

MS ELLYARD: I take it you then have got a workforce available to you which will include people who could attend on very short notice?

5 MR GUPTA: As I said, it all boils down to planning. As a professional outfit, that's what your head contractor demands of you, or expects out of you, and I think that is the nature of the beast where we provide services, so we have become accustomed to it all throughout these years.

10 MS ELLYARD: Mr Paciocco, can I ask you, from your experience, have you worked in environments where there's a need to supply people at very short notice and are there any issues that you identify with needing to rely on cohorts of workers who might have that kind of very last-minute availability?

15 MR PACIOCCO: No, I haven't worked in that type of environment. Normally --- the work we do is planned ahead and we get the order in advance. So I have --- you know, I have the luxury of being able to roster the right people for the right roles. The only time I would have to work under those sort of conditions, it would only be replacing one guard, if I had a late call that somebody had an accident or called in sick.

20 MS ELLYARD: Mr Aggarwal, at paragraph 25 of your statement you give a very detailed breakdown which goes for a number of pages of each of the shifts and the numbers that were required at each hotel for each shift. It seems clear that, as I think you've said in your evidence, sometimes the numbers changed from day to day or they would be static for a few days and then change again. Can I just ask you to explain to the Board, how did you manage that, in terms of making sure that people who were needed came to work and what did you do if there were people who you suddenly didn't need because the requirements had reduced?

30 MR AGGARWAL: As I said in my statement, I was working in the security industry for a long time at a manager level and I have worked in that environment and my business partner also worked in that environment where we mostly have handled ad hoc services with the previous company, so we have that kind of --- as we started with this Hotel Quarantine Program, we started with the lower numbers, then later we have been told that this can go up, so we start planning that maybe if it goes up, if more hotels go on, so we require more people. With that --- so we have a roster coordinator working with the team and he was managing to make sure that if work goes up, how we have to manage it, how we have to get more guards. So the --
35 - most of the hotels, if you see my statement, some hotels been shut down after one round or two rounds and the guards who worked on those hotels, that was available. So we used those guards who was not working to source if we require more guards, so we source those guards, and as we was not sure what was happening, because it was ad hoc job, it was not --- every day the requirement was changing, so we relied on Unified, whatever they have told us, so we were supplying those numbers.

45 MS ELLYARD: What did you do if, for example, you had rostered 37 people but then on the night you learned that you only needed 35? What would happen to those

two extra guards, would they still get paid, would they get sent home, what would happen?

5 MR AGGARWAL: As per my understanding, there's nothing like that happen in our scenario that we have requested some guards. I remember some time there was arrivals coming in the hotels and they required more guards to help at the reception. So we used --- so we booked the guards and if they --- the guards was required and we put them there, they work in the hotel, then they we have to pay them because if the guard come on site we have to pay them. But in our case mostly everything was transferred to Unified Security because they have their own ops manager on site and they was checking the numbers, they was handling all this stuff and we was getting proper confirmation how many guards required day by day.

15 MS ELLYARD: The Inquiry received some material or information that there were practices at some hotels where people would be signed on but then sent home, so they didn't work and didn't get paid but the company still billed for the worker being there. Is that something that you are aware of ever occurring in your business?

20 MR AGGARWAL: As per my knowledge, there is nothing like that, we haven't billed anything that we have sent home someone and billed Unified. As I said, when the hotel --- when the program got started, in the first two weeks we was not --- because we was handling that, we --- sometimes we overbooked guards, when the arrivals comes, Unified requested us by department that they need more guards to help in the buses and help in lobby areas, but sometimes the buses --- the flights got cancelled so, for example, if there's 200 arrivals coming, sometimes it dropped to 50 pax, so there was a number of guards, so --- I remember one instance, we have overbooked the guards and we asked guards voluntarily, because in the security industry, if guards come on site so we have to pay them four hours, but we voluntarily ask that we have overbooked guards and if you want to go home voluntarily, you will get paid, but we never invoiced if our ops manager or our roster coordinator made a mistake that we overbooked guards, we never invoiced to Unified Security.

35 MS ELLYARD: Mr Gupta, can I ask you a similar question, were there times when you found yourself with more guards than you needed and how did you balance the expectation of guards that they were there to get paid with the fact that it turned out that you didn't need as many as you had originally thought?

40 MR GUPTA: For us, as I said, it takes a lot of planning. With these kinds of, you know, programs or even the major events, we always go 5 to 10 per cent extra guards on site just to ensure any drops, because when you have got all these large workforce working at the hotels, the last thing that you want is shortfalls, and that does affect our head contractor's commitment to, say, the Government Department, so we have always gone in with extra couple of guards and we have paid them out of our own pocket for four hours, if they have not managed to get a shift. But that has always been the case how we have operated. And for us that's just course of doing business.

MS ELLYARD: What about you, Mr Attalah, was this an issue for you, disparities between planning and the reality and the need to pay people perhaps who weren't needed?

5 MR ATTALAH: Like Mr Gupta said, the nature of our business and major events, numbers fluctuate and if we have booked any extra, we usually have spares on board just in case somebody is running late, an accident, or any unforeseen issue has happened, that person can take the position and that way we don't have any shortfalls for the contractor. And in that case, if there isn't, these guys are paid a minimum of
10 four hours.

MS ELLYARD: Mr Paciocco, can I turn to you --

15 CHAIR: Ms Ellyard, if I can stop you there, before you change issues, with respect to this issue about the fluctuating numbers, perhaps to clarify, who is it who is setting the numbers? Is it the head contractor or is it the hotel or is it some other agency that is setting the numbers and whether or not there's a formula?

20 MS ELLYARD: I'll ask Mr Attalah to answer that first, Madam Chair.

MR ATTALAH: We receive this from our head contractor, as part of my knowledge, I think they received that from the Department of Health and that's all according to what sort of flights are coming in, if it's a full flight, if it's not, if it's all coming in to the same hotel or not. And the changes are according to that. So that's
25 how we received our rosters.

CHAIR: Mr Attalah, I was just going to press on Mr Attalah for the moment: do you know whether or not there was a formula set, as in one guard per four people or six people in quarantine? Are you aware as to whether or not that was so?
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MR ATTALAH: No, I'm not aware of that. That goes back to the head contractor.

CHAIR: Thank you. Yes, Ms Ellyard.

35 MS ELLYARD: Mr Gupta, was your experience the same as Mr Attalah's, in that the numbers were given to you by the head contractor?

MR GUPTA: Yes, absolutely, the numbers were provided by the head contractors and because of the fluid nature of the work we were doing, we were receiving emails
40 all the time and the operations team will attend to those numbers and provide security accordingly. I think it was controlled or managed by DHHS at the top, in the scheme of things. So it was the Government Department that was deciding or letting the hotels know that this is the flight that has been diverted to this particular hotel and now there's a surge requirement, and so on and so forth, it was
45 communicated or cascaded to us by the head contractor.

MS ELLYARD: Mr Aggarwal, was that your experience too, that it would be

Unified who would tell you how many guards were required for each location?

5 MR AGGARWAL: Yes, as per Mr Gupta said, yes, it was the head contractor who advised us that that many numbers was required. My understanding, they get the information from the Government Department where they are dealing with that. But we was getting told by Unified Security.

CHAIR: Thank you.

10 MS ELLYARD: Thank you, Madam Chair. May I turn to you, Mr Paciocco, on the question of the nature of the work being done. As the Board understands it, there are a range of roles for someone with a basic security licence which is licensed to perform. How would you describe the nature of the work that your staff were being asked to do at the Pullman, as against the spectrum of security work that is done?

15 MR PACIOCCO: Look, I suppose I would describe it mainly as static work, where we had positions either at the front door, on each level of the Pullman Hotel and, at times, escorting guests to rooms. So it was mainly static work, would be the way I would describe, you know, what we were engaged in.

20 MS ELLYARD: Mr Attalah, if I can turn to you, you describe at paragraph 19 of your statement that there were different roles performed by your guards at the two different hotels. Could you please just explain to us what those different roles were?

25 MR ATTALAH: Mainly, as I said before, the guards were static guards, so floor guards that look after the floors. The other positions that they were doing is either escorting guests to their rooms or escorting guests for their walks and smokos required, and break relieving, if they are doing breaks.

30 MS ELLYARD: Mr Gupta, in your statement at paragraphs 19 and 20, you draw a distinction between the tasks that were allocated to guards in your early involvement under Wilson subcontracting and then later on under MSS. Could you please explain to the Board what the job was the first time you were involved and then how you saw the job change?

35 MR GUPTA: We initially started with Wilson because that was the first hotel at Pan Pacific that we started with these duties. I was on site the first day's briefing so I remember categorically the on-site supervisor from Wilson mentioning clearly that the guards are just there to, you know, make sure that the guests don't come out of the rooms and if they do come out of the room, we just need to politely refer them back to the room and ask them to call the 1800 number that was provided by the Department. The main job duties were to make sure that no one was leaving the quarantine site, that refers to the guests, they were not leaving or escaping the quarantine facility, and that was the major duty. They were clearly mentioned in that
40 on-site briefing as well that the guards are not supposed to touch any bags, any luggage, any food items, this will be managed separately by the Department and
45 there will be specified staff doing it. But the job duties of security guards will be just

to make sure that nobody comes out and if they do come out, ask them politely to go back into the rooms and call the helpline set up by DHHS or the relevant department.

5 And I think it was the same with MSS Security as well, at the initial start of the program, and these job duties were clearly, you know, scoped out and we also
tendered an attachment called "Wilson Security COVID-19 2020 Quarantine
Program Operation Program, Pan Pacific", and that clearly states in line with what
I'm telling the Board now. As for later on in the program, you know, it was --- again,
10 it evolved drastically and then the duties entailed, you know, assisting guests with luggage, smoke breaks, welfare breaks and what not. So, you know, the kind of range or variety of duties further on in the program. And I believe these were, you know, asked by the Department to the head contractor and then again, as I said, cascaded to us and we just followed the instructions.

15 MS ELLYARD: Mr Aggarwal, in paragraph 27 of your statement you detail what you understood to be the duties. Were those the duties from the very beginning or did they change in the way Mr Gupta has described?

20 MR AGGARWAL: Yes, as Mr Gupta said, the guard, first when we started, we been told to look after the levels, look after the entries to make sure nobody escape from the hotel, and then later down we've been told to help with the Uber deliveries and care packages and also later we started with the fresh walks, we started handling the fresh walks through the guard. Basically, duties was to make sure that nobody come out and the guards look after the levels and the exit doors.

25 MS ELLYARD: May I ask some questions about training, and going back to you, Mr Paciocco, first, you say, Mr Paciocco, at paragraphs 23 and 24 that there was some training that was provided to the staff who were going to be engaged in the Hotel Quarantine Program. Could you tell us what that training was as you
30 understand it?

35 MR PACIOCCO: Yes. So if you're a guard on your first shift, a supervisor from Wilson ran the training, I'll say Wilson did provide a supervisor for every single shift as well, so they ran that extremely well. Our guards would have to do a module, a Government module on COVID, I think it was the one from the Department of Health and Human Services. They would have to get 100 per cent on that initially. They would also have to arrive 15 minutes early, which was standard for every shift and a Wilson supervisor would give them a briefing for each shift, whether that be the morning or the evening shift.

40 MS ELLYARD: Thank you. Mr Gupta, turning to you, you also deal with the matter in response to questions 23 and 24 in your statement. Making any necessary distinction that you wish to make between Wilson and MSS, what was the training that was provided either by you or by anyone else to your staff about COVID-19?
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MR GUPTA: As per the requirement, you know, set out by the head contractors, we were to provide staff that had completed the COVID-19 online infection control

module, so that was, you know, I would say, the basic requirement, that even before the shift starts the guards should have done that module. And, you know, apart from that, when on site, now I am comparing the two contractors, Wilson, they always had somebody from their senior management or risk control team on site, making sure there was a brief given to the staff in the morning shift as well as the evening shift, in case --- I have been personally on site and I've seen that happening every time and each time, and the guards were asked to come 15 minutes to half an hour early to ensure that they had access to their PPE and their sign-in and be ready for the on-site briefing.

10 As for MSS, I mainly went to Stamford Plaza Hotel and also a few times to Travelodge and once to ParkRoyal as well, and again, at these hotels, there was obviously the requirement to do that online module, and, you know, be 15 minutes early and the on-site supervisors were giving out instructions to the staff before the start of the shift.

15 And I think that's the standard process, whether it's a Hotel Quarantine Program or whether it's a major event or any of the big, you know, place where you are providing a large workforce, there has to be an on-site induction or, you know, on-site briefing that has happened and for the times I was there on site, this briefing was happening regularly.

20 MS ELLYARD: What about you, Mr Attalah, you deal with this at paragraphs 23 and 24 as well, what was the training that was expected by you or by the head contractors of your staff?

25 MR ATTALAH: Like Mr Gupta said as well, we for --- the head contractor sent us the online module that the Government has prescribed to all guards to do prior to their first shift and that was mainly the training provided to our staff members. Besides that, guards were also told to come always early and to make sure that they are there 15 minutes to half an hour prior to the shift start. MSS did have their own supervisor on duty always to always look after PPE and giving out the PPE to the guards before they start shift.

30 MS ELLYARD: Mr Aggarwal, at paragraphs 37 and 38 of your statement, you refer to what I understand to be the same training module that other witnesses have mentioned, that you required all staff to complete?

35 MR AGGARWAL: Yes, that's correct, we told the staff to do the COVID-19 online training by the department. Also, there's [audio dropped out] was provided by Unified on each hotel and each staff.

40 MS ELLYARD: We lost you a little bit, Mr Aggarwal, or perhaps it was just me. For the avoidance of doubt, I'll ask you to repeat your answer to that question.

45 MR AGGARWAL: There was a COVID-19 induction being told, online induction designed by the Government Department for all the staff and there was also OHS

induction was provided by Unified Security on each hotel and when the guards start shift and the supervisor give them a brief and give them OHS induction and also there was a PPE training also provided by the Unified Security also.

5 MS ELLYARD: Again, sticking with you, Mr Aggarwal, and reflecting on the evidence that the Board has heard from the witness Security 16, he gave evidence that he wasn't asked at either place that he worked to do any online course. As I understand it, it is correct that although you do hold records of the certificates of completion for a large number of guards, you don't have a record of him having
10 undergone that training. Can I just ask you to explain to the Board what the position is in relation to that?

MR AGGARWAL: Yes, Security 16 been told by our ops team that he has to complete when he started a job in hotel quarantine, he has to complete it, that
15 COVID online induction, and as --- we have --- we told all the guards do the induction but we been told in June to collect all the certificates by Unified to make sure we got all copies and record, which we have supplied to the Board, there's a large number of certificates, and we have contacted Security 16 numerous times and I have mentioned that I have called him by myself to request that if he can provide
20 that certificate, which we never received.

MS ELLYARD: Can I turn then to the question of the risks of COVID that one might think that that training course was meant to teach people about. Can I start with you, Mr Attalah. From your point of view, what were the risks to your staff
25 potentially from doing this work and did you have any concerns about the availability of information to your staff about whether they were interacting with people who might actually have the illness?

MR ATTALAH: So the training went on a little bit about hand hygiene and PPE and especially using PPE, but that sort of changed on a regular basis at the hotel and there was a bit of confusion in regards to that and that was a bit of an issue that we had there. In regards to the COVID and the spread, the major issue that we had was the guests were coming in and they were being tested on day 3 and we were taking
30 guests out on Day 1 for recreational breaks or fresh air breaks, and that was a major concern.
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MS ELLYARD: It's perhaps an obvious question but can you just explain what was the concern about taking people out on Day 1 when they hadn't yet been tested?

40 MR ATTALAH: So we weren't sure if those patrons were positive or not. In the case of them being positive, I don't think they were allowed to go out for fresh air breaks.

MS ELLYARD: Mr Gupta, can I ask you, what information was made valuable to
45 you about the extent to which people actually were positive for COVID-19 in the hotels your staff were working in?

MR GUPTA: Again, I think the information on hand would be with the site security supervisor, they would need to keep a record or they would keep a record of all the patients that had been tested or tested positive and that information would flow through from the authorised officer on that particular hotel duty. And in terms of, yes, I think that's pretty much it, if you're asking that specific question, or yeah.

MS ELLYARD: Does that mean that individual security guards would be told in which room or on which level there were positive cases?

MR GUPTA: From my, best of my knowledge, I understand that that information was --- once it was available, that this traveller is positive, that information was readily available to the supervisor and they would have communicated to the staff on the floor and I think there were specified floors as well where they were keeping the guests that were tested positive as well, from --- again, from my attending the site and overhearing that conversation between the security supervisors and the staff.

MS ELLYARD: Mr Aggarwal, turning to you, you provided services at a number of hotels, but one of them was Rydges on Swanston, where the Board understands there were a substantial number of people located who had tested positive. What information was available to you for you to give your staff about which people were positive and where in the hotel they were?

MR AGGARWAL: As per my understanding, when we been told to provide security services in Rydges hotel, we was aware of that it's a red hotel, so that means that everyone who's at that hotel is a positive, so we are dealing with a positive test, and that was the information that we provided to all the guards who started there.

MS ELLYARD: Mr Attalah said something about the fact that it was his understanding that people who tested positive didn't get fresh air walks. What was the position at Rydges, did people get access to fresh air walks whether or not they were positive?

MR ATTALAH: Yes, they get access for fresh air walks, yes.

MS ELLYARD: How would that happen?

MR AGGARWAL: So I believe there's a list been created by the AOs and handled by nurses and then provided to the supervisor regarding the fresh air walks.

MS ELLYARD: What role would security staff have in organising or managing that process?

MR AGGARWAL: As per my understanding, the security guards been told or the supervisors been told this was the list for the day, that these people have to go out for fresh air walks and they asked to organise guards to take them out for a walk.

MS ELLYARD: What PPE arrangements were in place, Mr Aggarwal, just sticking

with you --

CHAIR: Can I interrupt again for a moment, Ms Ellyard. Just to go back to what Mr Aggarwal just said, I understand that what you said was at the red hotels, that the security guards weren't taking the positive cases out for a walk or they were?

MR AGGARWAL: They were, Madam Chair, yes, they were taking positive guests out for a walk.

CHAIR: So when you referred to the authorised officers and the nurses, what was the context in which you were making reference to them?

MR AGGARWAL: As per my understanding, the fresh air walks was organised by the DHHS and that list been then followed by nurses and to supervisors.

CHAIR: And what does that mean, though, that it's being followed by the nurses and supervisors? Does that mean they are then communicating to the guards, "These are the people who need to go on a walk"?

MR AGGARWAL: Yes, correct, Madam Chair.

CHAIR: And the guards were taking those people unaccompanied by authorised officers and/or nurses?

MR AGGARWAL: Yes, correct, Madam Chair.

MS ELLYARD: Perhaps, Madam Chair, I'm just ask --- I saw Mr Gupta nodding there, at one point, was that your experience too, Mr Gupta, that the walks would be organised by nurses and authorised officers but then actually conducted by security guards?

MR GUPTA: That's correct, because the authorised officers are the site in charge per se, if you wanted to mention it that way, and they were, you know, running the program from our perspective and, you know, they were setting out the instructions and how and which travellers were going out for fresh air walks. I probably, you know, have a different experience in saying that, you know, whether these were positives or not because, you know, as Sam, Mr Aggarwal said, that in their hotel they were all positive, whereas for us, the hotels we were doing, it wasn't a red hotel per se and it was, you know, travellers as and when they were getting tested were found out to be positive. So that's where our, you know, that's a slight difference in our --

MS ELLYARD: Did you have the experience of being asked or your staff being asked to take people out for fresh air walks who were awaiting testing or who had been found to be positive?

MR GUPTA: Again, to my knowledge, I don't think there was any instances where,

you know, we were asked to take out any positive guests for fresh air walks, that's to the best of my knowledge. And, you know, for me, it would be a common sense approach, you know, why would you want to send somebody who's positive out for a fresh air walk when, you know, the fear of spread is actually real?

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MS ELLYARD: Yes. I'll move on to the next issue, if that's convenient, Madam Chair.

CHAIR: Yes.

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MS ELLYARD: Thank you. I want to ask about PPE, which everyone has mentioned. Turning to you, please, Mr Paciocco, what PPE were your workers required to be wearing while they were on duty?

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MR PACIOCCO: So our workers had face masks, they were supplied by Wilson Security, it was ample face masks supplied on each level of the hotel, guards were able to swap over their masks at any time, there was quite an abundance of them. There was also sanitiser on every level and sanitiser and PPE at the break-out room.

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MS ELLYARD: Thank you. Mr Aggarwal, you deal with this question in your statement in response to questions and you indicate that PPE was available. Again, the Board has heard evidence from G16 about what he perceived as a change in the arrangements at Rydges, where at first there was plenty of PPE and people were encouraged to change as and when they needed. There then, as he understood it, became a rule that you shouldn't use it so often. I take it you are aware, in general, of that evidence. Can I ask you, thinking particularly about Rydges, to tell the Board what the position was about the use of PPE by security guards?

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MR AGGARWAL: Yes, I saw that, but there was never any issue with the PPE, there was plenty of PPE on site at Rydges, there was never a change in the policy and procedure for PPE at Rydges.

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MS ELLYARD: So when he described a situation where he would be given a mask at the beginning of a shift and one pair of gloves and told to take it on or off as required or otherwise keep it in his pocket, were there ever any rules as you understood about people having masks in their pockets and not wearing them or a situation like that?

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MR AGGARWAL: No, never like that --- we never heard anything like that and there was no such rule that they had to keep masks in their pockets.

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MS ELLYARD: What was the expectation of whether they would be wearing PPE during their work?

MR AGGARWAL: There was provided plenty of PPE. When --- they wear the PPE when they go out for breaks, there was a designated bin provided by the Department, the yellow bins, and whenever they go out they dispose their old, the used PPE in

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those bins, and when they come back, they put it in the bin provided for PPE.

5 MS ELLYARD: Mr Attalah, can I ask you, you deal with this at paragraphs 38 and 42 of your statement. As I understand it, from your perspective, there was some changing advice over time about when and how PPE could be used. Could you tell us about that?

10 MR ATTALAH: Yes, that's correct. Firstly, there was plenty of PPE provided, DHHS provided us with the PPE, which is the sanitisers, the gloves and the face masks, and also MSS had plentiful PPE in case DHHS ran out of supply. So never at one time we had shortfalls. In regards to the policy changing, it had on several occasions, received changes from head contractor sending us, letting us know that there have been changes in regards to guards wearing gloves or wearing PPE in certain places and that was ongoing throughout the Stamford time.

15 MS ELLYARD: You refer at paragraph 42 to some training being given by a nurse about the correct use of PPE.

20 MR ATTALAH: To the best of my knowledge, one of my staff members that does the fresh air walks, him and a small group of people had a training from a nurse in regards to how to sanitise properly your hands, wear face masks and wear your hand gloves.

25 MS ELLYARD: You refer there to "escort security guards", am I right in understanding that at the Stamford there would be guards who were rostered to be what Mr Paciocco has called static floor guards and there would be other guards rostered to conduct things like fresh air walks?

30 MR ATTALAH: That's correct, so we had floor guards, where --- the static guards on each level. We also had the fresh air walk guards, which are the escort ones, and we also had the reception ones where they check the delivery of any food coming in and so forth to deliver up to the rooms.

35 MS ELLYARD: Were there different PPE requirements depending on which role they were performing?

40 MR ATTALAH: To the best of my knowledge, the PPE was definitely worn for the fresh air walks, if they had to take them out. And if there was any deliveries going up to any of the guests, they had to have PPE worn, yes.

MS ELLYARD: Mr Gupta, can I ask you, you deal with this at paragraphs 38 and following of your statement. What was your company's experience in terms of, firstly, the availability of PPE?

45 MR GUPTA: We have to put this in context as to how, what was the availability of PPE to common public during that time. I think from my personal experiences I went to Chemist Warehouse or Coles or anywhere else, I wasn't able to find any

hand sanitisers or gloves for myself. Now, turning back to hotels, when I went to the hotels, I was actually surprised how the head contractors, both the head contractors, had sourced so much hand sanitisers, gloves and masks, and again, why I put that in context is because there was no general availability for the common public and still
5 at that point of time, the head contractors were able to manage and source that PPE. So from my understanding there was plenty of PPE available and to my surprise, good surprise, there was always plenty available for staff members to use.

10 MS ELLYARD: Mr Aggarwal, I see you nodding. That was your experience as well, there was always enough?

MR AGGARWAL: Yes, that's correct. I agree with Mr Gupta. There was plenty of PPE.

15 MS ELLYARD: Going back to you, Mr Gupta, at paragraph 49 of your statement you answer a question about unsafe work conditions by reference to some documents that as I understand it refer to a concern that one of your workers had about some directives that they were given by an authorised officer about the use of PPE and when particular parts of it should be used. Could I ask you to tell the Board what
20 that issue was that your worker raised?

MR GUPTA: Yes, if you give me a second, I'll just pull out that particular ---

25 MS ELLYARD: Perhaps if I refresh your memory, it's about a directive about whether or not gloves should be used in a particular context of handling bags.

MR GUPTA: Sure. So I think we received this complaint or concern from one of the guards working at the hotels and this was towards the later end of June or middle of June is when, if I recall it correctly, that we received this concern from the
30 employee, and employee had a concern that the directives of using PPE or gloves for handling, when they were handling luggage for the guests, was changing quite frequently and even the authorised, one authorised officer on a particular day, because these authorised officers were changing like the security guard we are referring to, every day at the hotel site, they were probably changing more frequently
35 than the hotel guards themselves and, you know, with each new authorised officer there was coming in there was a new set of instructions that was provided to the guards and their understanding of how to use gloves was different from one to another, to which obviously the guard said or, you know, thought it was a real concern that they had been asked to not use gloves at the time and certain times they
40 were questioned when they were using gloves as to why are they using those gloves. Again, I think the guard had the common sense approach and they raised that question and we raised it to the head contractor and we got clarification from them.

45 MS ELLYARD: What was the clarification? I gather the issue was that the guard wanted to wear gloves but they had been directed by the authorised officer not to wear gloves for the particular task?

MR GUPTA: Yes, so I think the clarification was, again to the best of my knowledge, they were provided with the PPE instructions, that were relevant or current at that moment and as per them, they were allowed to wear the gloves if they wanted to.

5

MS ELLYARD: Okay. Thank you. May I turn back to you, Mr Paciocco, on the question of another aspect of supposed infection control or management which is temperature checking. You describe in your statement that temperature checking was a feature of the hotel where your staff were working.

10

MR PACIOCCO: Yes.

MS ELLYARD: How did that work?

15 MR PACIOCCO: Correct. So the information I received from the guards that we had at the front of the hotel was that there was a nurse temperature checking everybody that entered the hotel, including maintenance workers, any nurses, doctors, et cetera. So everybody that entered the hotel was temperature checked.

20 MS ELLYARD: And do you know who it was who had instituted that and made that a rule for hotel?

MR PACIOCCO: No, I don't. Yeah, I know it was conducted by a nurse but I don't know who made that decision.

25

MS ELLYARD: What about you, Mr Attalah, in your experience was temperature checking a feature of the hotels where your staff were working?

MR ATTALAH: No, we didn't have any temperature checking in our hotel at all.

30

MS ELLYARD: Mr Gupta, what was your experience?

MR GUPTA: At the initial start of the program until the very late, you know, till we had a break-out in Stamford, there was no temperature testing. But I think from 24 or 25 June when the staff had on-site induction and the fresh crew went back in, there was temperature testing happening by the DHHS nurses and authorised officers on site after that.

35

MS ELLYARD: Mr Aggarwal, you deal with this at paragraph 65 of your statement. What was your observations and experience of whether temperature testing was conducted at the hotels where your staff were working?

40

MR AGGARWAL: Yes, I agree with Mr Gupta, my answer is the same, that there was no initial process at the start, there was no temperature check, but once the --- I think I have put in my statement, on 23 June the requirement was introduced, and the nurse was from --- DHHS has organised the nurses to check the temperature on each hotel.

45

MS ELLYARD: Thank you. May I turn then to the question of rates of pay for guards, and indeed rates of pay for the work that your companies were doing. I will start with you, Mr Attalah. You indicated earlier that there was a clarification that you wanted to make, which I think is to paragraph 34 and/or paragraph 37 of your statement. Perhaps before I get you to answer that question, as I understand it, you employed guards on a variety of different base, some of them were permanent employees and some of them were casuals; is that right? You are on mute, Mr Attalah.

MR ATTALAH: Sorry. Yes, that's correct.

MS ELLYARD: And am I right that there's a numbers corrections that you want to make to the evidence in paragraph 34?

MR ATTALAH: Yes, I did. In regards to the flat rate of \$27 per hour and \$32 per hour, I just wanted to add to that, the majority were on \$26 and \$32, we had several guards on \$27 and \$35 and several of the guards on \$30 and \$35.

MS ELLYARD: So perhaps at the starting point, as the Board understands it, there's an award that covers the rates at which security personnel should be paid?

MR ATTALAH: That's correct.

MS ELLYARD: And you have indicated that the payments that were made for people who were on a part-time basis were in accordance with that award?

MR ATTALAH: Yes, that's correct.

MS ELLYARD: You have then said at paragraph 37 what your charge-out rate, I suppose, per hour to your head contractor, MSS. There's obviously a difference between the amount that you were charging MSS and the amount of your labour cost. What was the difference spent on? Perhaps if I can put it this way, what services was MSS buying from you over and above the actual physical presence of a guard at a hotel?

MR ATTALAH: So in regards to how I had the pay schedule set out, I sort of --- it was quite difficult towards the end of it to get guards to get work on the award rate, so paying them higher than the award was more sufficient and I was able to recruit good personnel to be able to work on the hotel floors.

MS ELLYARD: And then what else were you doing, as part of the work you were doing from MSS, over and above getting the guards and paying them perhaps a bit more, what was the work involved in supplying the guards to MSS?

A. The background work, there's a lot of rostering and organising of the correct personnel and conversations between guards in regard to who you can get

specifically for these kinds of positions when recruiting.

5 MS ELLYARD: Mr Gupta, at paragraph 34 of your statement you set out both the rates of pay to staff, which again as I understand it were based on the award; is that right?

MR GUPTA: The security services award 2010, yes. Level 1.

10 MS ELLYARD: And you have also summarised what effectively was the total cost to your company of that salary plus necessary insurances and superannuation and so forth.

MR GUPTA: Sure.

15 MS ELLYARD: Is the Board right to understand that the figure on the far right-hand column in that table is the hourly rate that you were charging to MSS?

20 MR GUPTA: No, so that's not the hourly rate we were charging to MSS, this is the hourly rate for --- as a cost of company to us. We haven't provided that charge rate as it didn't ask us to provide that in the witness statement. But we are happy to provide the charge rate. There is not a huge margin or a differential between what we charge and what we paid out or an actual cost to company, there would probably be \$1 or \$2 on each of those rates that we would have made, the margin.

25 MS ELLYARD: That was going to be my question, because you say at paragraph 37 there wasn't an additional fee but, as I understand it, you had a charge-out rate per hour that had in a margin, perhaps not a large margin, for profit?

30 MR GUPTA: That's correct. So maybe my understanding of the question was, was there anything over and above that agreed rate that any of the head contractors paid us as, you know, a remuneration fee or a marketing fee or something of that sort, and that's why we replied we were only paid for the actual hours supplied, as per the hourly rates agreed.

35 MS ELLYARD: Not --- without holding you to precise figures, you would say the margin for you was about \$1 per hour of work --

40 MR GUPTA: Again, I wouldn't hold that \$1 or \$2 but we operate at a margin of, say, 4 to 5 per cent in this industry, so it would be safe to say, if you take our cost to company and then add another 5 per cent, to be on the safer side, that would probably correctly reflect our charge rates to both the contractors.

45 MS ELLYARD: Mr Paciocco, can I turn to you. You refer to this at the answer to question 34. Mr Gupta has just referred to the general margins that apply in the security industry. What was the position for you in terms of the difference between -- perhaps in percentage terms, between the amount that was being paid to guards and the amount that was being invoiced by you to Wilson?

MR PACIOCCO: It was very little. We basically paid the casual award and we made 3 per cent on top of that. It was an agreement we had with Wilson, in my early conversations with Wilson, when I had to send through all our company
5 documentation, they asked whether we had an enterprise agreement or paid the award and I just said we simply just make sure we pay the award. So we paid the casual award plus 3 per cent.

10 MS ELLYARD: Mr Aggarwal, can I turn to you. You refer to the hourly rates for your guards at paragraph 51 of your statement.

MR AGGARWAL: Yes.

15 MS ELLYARD: There's a range there. Is the Board right to understand that that too reflects what the award says?

MR AGGARWAL: Yes, so we --- from my statement, so we have mentioned that we have paid guards from the supervisors who were working, depending on what job they were doing, supervisors got paid more as per the award and the guards got paid
20 as per the award. So that's what I have mentioned in my question.

MS ELLYARD: And then I think also, like Mr Gupta, there was --- it was the case, wasn't it, that in addition to the actual costs that you were spending on guards there was a margin of --- a higher amount of money that was paid by Unified to your
25 company for each hour of work provided?

MR AGGARWAL: In our case there was a bare minimum margin because our charge rate was not that high and it was really a bare minimum margin because there's an overhead cost on top of the guard's salary.
30

MS ELLYARD: I guess the question is asked, and I'll ask you, Mr Aggarwal, you were obviously doing high-volume work here and you have described it as being at a very minimal margin. What was sitting behind that decision by you, as a commercial decision, to do this work for what you have described as being a very limited profit
35 margin?

MR AGGARWAL: We started with Unified basically in March 2020 and there was an opportunity for us that in the future we will get more work, and when this Hotel Quarantine Inquiry job started there was a set rate we were charging for the normal
40 work and then we decided --- we was not aware that this job would go for that long, then the job started, then we find out that the payment we were paying to the guards as per the award, we are not going to lift up anything, the rate we are charging, so we had a discussion with Unified that we have to increase that rate, which was applied in
45 2020, July 1, 2020.

MS ELLYARD: I think you are saying, Mr Aggarwal, that you worked out that in some cases your charge-out rate as agreed with your head contractor was not equal to

the amount it was costing you to pay the guards?

MR AGGARWAL: Yes, correct.

5 MS ELLYARD: Mr Paciocco, can I ask you the same question about, I guess, the motive to put people into work where there is a very minimal profit margin, what was your thinking there?

10 MR PACIOCCO: Well, I would just like to make it clear that, as I mentioned earlier, we went from --- we were probably going to record a record month since we have been open, since 2014, in March, to within 72 hours having no work at all. So reaching out to Wilson initially, it really was about survival and about holding onto, you know, a number of good people who it had taken years to recruit, so I don't lose them to other companies when things eventually do pick up. So that's the only
15 reason. I wouldn't --- you know, I wouldn't dream of operating at 3 per cent ever, but you know, as I said, this wasn't about making money, it was about trying to keep some people employed.

20 MS ELLYARD: Okay. Can I perhaps offer first Mr Gupta and then Mr Attalah the opportunity to respond to that issue. Mr Gupta first. You referred to the profit margins that exist generally. Is there anything you would want to say about why it was that your company took this work and did it in circumstances where it appears that the rate of return was quite low for your business?

25 MR GUPTA: Yes, I think, you know, the industry operates at those margins and I think the head contractors enjoy the position of subcontractors in this space and that's how it has always been. For us, you know, doing this work, you know, for me personally, I would --- I haven't seen, you know, margins of say 15 per cent or
30 10 per cent, which you would have in other businesses and I do have other businesses where we have higher margins. It's more about the volume of the work that we are doing. And at the end of the day, keeping all that in perspective, you know, you are providing employment to about 350 people across the program, right, and for us, I think that's probably the most satisfying part of it, that, you know, you are supporting families, you are supporting Victorians and in turn the economy.
35 I think it's just how this business model works, I think there's no proper science to it, as to why you would work on a lower margin. Some businesses make higher margins and this particular business makes lower margins and this has just been in the industry norm.

40 MS ELLYARD: Mr Attalah, is there anything you would wish to add on that point?

MR ATTALAH: No. According to what Mr Gupta said, it's exactly the same, margins aren't that big. But also, like Mr Paciocco said, trying to survive in the market where it went completely dead, at one point.

45 MS ELLYARD: I want to turn to the question of the extent to which security guards in hotels behaved well or behaved poorly. Each of you were asked in your statement

about whether there were any instances in your own experiences of complaints or concerns being raised about guards. Perhaps I'll start with you, Mr Paciocco, question 47. You were asked about whether or not there were concerns about guards or any action taken. Perhaps thinking against the backdrop of what the Board is aware there has been some media reporting or suggestions of widespread bad behaviour by security guards, what was your experience at the hotel where your guards worked?

MR PACIOCCO: Look, I had good feedback from Wilson. There was, as I said earlier, they ran a very tight ship there. So I received a number of calls over really, really minor issues, but I think, you know, they were justified in bringing them up. I had, I think there was one occasion where I had a guard turn up, he was fine, he had a suit and everything but he had black runners on instead of black shoes, so we sent that particular guard home that evening. The only other issue we had was there was an expectation that when the guests came up via the lifts, the guard on each level would be out of their chair, standing up waiting for the guests, and one of our guards remained seated. So, yes, we didn't --- we replaced that guard for the following shift because he broke the expectations.

MS ELLYARD: Mr Attalah, as I understand it from the answers to questions 47 and 48 of your statement, you didn't have any concerns raised with you about the conduct of your guards in terms of this kind of inappropriate behaviour?

MR ATTALAH: No. We didn't have any issues in regards to our guards in the hotels. In fact, we had some good feedback from guests staying at the hotel, saying -- thanking us for the hard work everyone has brought through the hotel.

MS ELLYARD: Mr Gupta, what was your company's experience in this area?

MR GUPTA: Well, as I have responded to that question itself, you know, we did have one issue where one of the supervisors was mentioned by our head contractor to be overfriendly, but this was spoken with the supervisors and asked them to, you know, limit the communication with the nurses on that front, and then just keep it, you know, completely professional, as, you know, the nurses were busy and I think it was more about this particular officer asking them questions, which were relevant to the work but I think sometimes with all that on the plate of nurses, you know, it was just repeated questions and, you know, expectation of answer that, and that's probably where the --- the complaint was from. Yeah. And then I also mentioned and I think we've touched upon the earlier complaint by one of the staff members about the use of PPE and the authorised officer.

MS ELLYARD: Mr Aggarwal, you have answered this issue at paragraph 72 of your statement and you have summarised a number of matters that were drawn to your attention and which then had action taken about them. Can I ask you, thinking specifically about Rydges, were there concerns or complaints raised with you about the conduct of your staff at Rydges Hotel?

MR AGGARWAL: Look, with the Rydges, there was --- there was a complaint raised about social distancing. But that time the hotel was empty and there was asset protection was on that hotel just for a deep clean. But we do get email from DHHS authorised officer regarding Rydges, regarding the guards, the new team when we
5 took over from the previous provider, and we got in and then we got an email that our guards has done --- this new team has done excellent job and they was very happy with that. Apart from that, there's no complaints raised from Rydges.

MS ELLYARD: May I turn then to ask some of the members of the panel questions about infections that occurred amongst the staff that they had working at hotels. In
10 chronological sequence, Mr Aggarwal, I'll start with you, because you have given evidence in your statement that you had staff at Rydges who did test positive for COVID-19, one of whom we have heard from, and that was Security 16. You deal with this at paragraphs 80 and following of your statement. Can I ask you, perhaps
15 based on that but summarising it, to tell the Board when was the first time you heard that there was anybody who had been infected at Rydges other than the guests themselves?

MR AGGARWAL: On 26 May, we received a call from Unified Security that one
20 of the hotel staff got positive and then we been asked to get all the guards get tested and that's how we find out that the security guard got positive.

MS ELLYARD: G16 has given evidence that he took himself to hospital and got himself tested at hospital and got a positive result. Do you remember finding out
25 about that, that he had been tested and found positive in that way?

MR AGGARWAL: Yes.

MS ELLYARD: And you knew about that at the time?
30

MR AGGARWAL: On the 26th.

MS ELLYARD: And so what was process that was put in place, how were the guards tested and who organised it?
35

MR AGGARWAL: So we asked all the guards to go get tested and we told them they can get tested, it was organised by head contractor, they can get tested in the Rydges Hotel by nurses or they can go their near testing centre.

MS ELLYARD: And did everyone get tested?
40

MR AGGARWAL: Yes, everyone get tested.

MS ELLYARD: There was a total of six staff, you said, who did get tested positive?
45

MR AGGARWAL: Correct.

MS ELLYARD: And so what arrangements were in place for people, either the ones who tested positive or anyone else who had to self-isolate? Did your company have an approach that they used in dealing with those people?

5 MR AGGARWAL: Yes, so the people got positive, we have constant made contact with them for their wellbeing and we have made sure that they stay at home, we have paid them to stay at home for 14 days to make sure that they don't go out, and look after themselves. Out of six guards, two of them was quarantined in Rydges Hotel by itself and later on, they have been moved to Novotel Collins.

10 MS ELLYARD: You mentioned that you paid them to stay at home. Can I just ask you to explain what you mean by that and why you did it?

15 MR AGGARWAL: The reason was that we know that they got positive so we know that they can't work at the moment so we want them to stay home and we don't want them to lose any source of income and we don't want them to go out in the community, to make sure they don't spread virus.

20 MS ELLYARD: You have seen that the evidence of G16 is that he does seem to have gone out and done a bit of work during periods of time when he was either being asked to stay home waiting for a test or while he was positive. Do you recall any particular discussions with the person who you know as G16 about staying home and whether he would be paid by you to stay home?

25 MR AGGARWAL: We told him to stay at home. We was not aware that he's gone out and do any sort of work.

30 MS ELLYARD: Was it surprise to you to find out that he, and perhaps others, did have other work that they did? He described working as a food delivery driver and as a warehouse worker. Did you know, prior to this, that some of your staff did multiple jobs in that way?

35 MR AGGARWAL: As per my understanding, we were not aware of that and it was a surprise when we find out he went out to do food delivery because the reason was we had made sure when they got positive they stay at home but he decided to go out.

40 MS ELLYARD: May I turn to you, Mr Attalah and Mr Gupta, who both had staff who tested positive at the Stamford. You both deal with this in answer to questions 50 and following. First, Mr Attalah, the Board is aware of some evidence that suggests that at about the same time the first positive test was recorded amongst guards there had been some concerns raised about whether guards were socially distancing appropriately during meetings. Is that something you were aware of?

45 MR ATTALAH: Something like that was said by the supervisors, yes.

MS ELLYARD: A concern that there might have been a large number, perhaps as many as 70 guards, all in close proximity to each other at shift changeover, are you

aware of that allegation?

MR ATTALAH: I heard that number before but from my knowledge, and what I have seen personally, there was not 70 people in that room, that room is in no way
5 capable of carrying 70 people in it. From what I know, for that training or the conversation that we had, it was more around the 30 or 20 to 30 guards that were in that room prior to shift changes.

MS ELLYARD: You have given evidence that you were always present at shift
10 changes. From your observation, was social distancing able to be maintained and maintained when guards were meeting together at shift changeovers?

MR ATTALAH: Yes, absolutely. We were always taking the rolls, making sure that everyone was present, but at the same time the supervisors and team leaders up there
15 were making sure all the guards as they came in to sign on observed social distancing between each other.

MS ELLYARD: Can I ask you --

CHAIR: Mr Attalah, when you talk about supervisors and team leaders, are you
20 talking about the security guard supervisors or the authorised officers or someone else?

MR ATTALAH: Yes, Madam Chair, the security supervisors that were in the room
25 present at the time.

CHAIR: Thank you.

MS ELLYARD: Mr Gupta, can I ask you, are you aware that around about the same
30 time that the first infections occurred, some concerns had been expressed in a meeting called about a lack of social distancing by security guards?

MR GUPTA: That's correct.

MS ELLYARD: And you became aware of that at the time?

MR GUPTA: So I think after the outbreak, there was, you know, obviously more information coming through as to what could be the possible causes and reasons.
40 But I think the timing of that meeting was --- shouldn't have affected the spread of the virus, because it was on the same or just before that date. But as per my understanding, the virus takes --- has an incubation period of two to five days, you know, or 14 days, depending upon person to person. So yes, that meeting was held but I doubt that that was one meeting that kind of ensured that the virus was spread, you know, that was the real root cause of it.

CHAIR: When you say more information was coming through, Mr Gupta, where
45 was the information coming from after the outbreak?

MR GUPTA: Madam Chair, it so happens, when the outbreak was discovered, you know, and people start ringing each other and then, you know, you have these calls, we would try to find out what would be the root cause, and when you speak with
5 other people, who were actually on the ground, which was the hotel supervisors and the guards and that information was flowing through to us and some of the concern was about that particular meeting, that Ms Ellyard mentioned briefly about.

CHAIR: So the source of the information was the supervisors from the head
10 contractor?

MR GUPTA: That's correct. As I said in my statement as well, these supervisors were sometimes our supervisors and sometimes provided by the head contractor so, you know, to run an operation like this you have to maintain a close contact and
15 keep, you know, the information flowing through and, you know, as and when this outbreak was identified and confirmed, obviously we wanted to get to the root cause of it and, you know, we made some inquiries and that's how we became aware of this meeting that happened and then we kind of double-checked for the happenings on that particular meeting and the guards confirmed that it did happen at Stamford
20 Plaza.

MS ELLYARD: Mr Gupta, you are talking about a meeting which had been --- a meeting complained about by others as a meeting where people weren't social distancing?
25

MR GUPTA: Again, not sure whether the social distancing was followed there or not because I wasn't physically present there. But, you know, from what I've heard and to the best of my knowledge there were concerns that social distancing was possibly not followed. But again, I'm not the best person to confirm that.
30

MS ELLYARD: Can I go back to Mr Attalah. Mr Attalah, you have mentioned that you were on site and did make observations that social distancing was maintained. Building, perhaps, on that, can I ask you to explain to the Board by reference to what's in paragraph 50 of your statement, how did you first find out that there had
35 been anybody outside of guests infected at the Stamford?

MR ATTALAH: So around 10.00 pm on 16 June I received a call from one of my guards who saw a picture of a colleague that worked at Stamford Hotel in hospital and that's how I came to be aware of it, and I tried to contact the head contractor,
40 provide them with the information that I came upon, and to investigate more about it, but I wasn't successful in contacting them that late at night.

MS ELLYARD: And so what happened the next morning, I think perhaps quite early the next morning?
45

MR ATTALAH: So at about 2 or 3 o'clock in the morning, I received a call from the guard on duty at night saying the Department of Health had asked all security

officers on duty to be tested and sent home for isolation for 14 days. At that point, I tried again to reach the head contractor, with no success. I called the MSS supervisor that is the daytime supervisor to inform him and see if he's able to get contact with the head contractor and see if we can get prior knowledge of what ---
5 what's supposed to be done from here on.

MS ELLYARD: And so what happened, did all of the guards who were on the shift have to be tested?

10 MR ATTALAH: From my knowledge, the majority of the guards during the night shift were tested and the majority of the guards during the day shift that did come that following morning, have also been tested.

MS ELLYARD: Perhaps picking up Mr Gupta's point, I take it that you too, once
15 you heard about the possibility of infection, were concerned to identify whether any of your people had tested positive, as I gather some of them did?

MR ATTALAH: Yes, that's correct.

20 MS ELLYARD: You have described in paragraph (a) of paragraph 49 of your statement some circumstances that seemed to you to be relevant as to how it came to be that a number of guards tested positive?

MR ATTALAH: Yes, that's correct.
25

MS ELLYARD: As I understand it, some factors that you have identified are, firstly, that there was an extent to which people who all ended up testing positive car-pooled together?

30 MR ATTALAH: Yes, that's correct.

MS ELLYARD: And also the extent to which people who ended up testing positive at different times had crossed paths by perhaps working on the same floor of the hotel or perhaps passing each other at shift changeover?
35

MR ATTALAH: I can't be too certain about that, but this is what we predict.

MS ELLYARD: Am I right that you didn't identify, for example, any obvious breaches by security guards of infection control requirements, like being in hotel
40 rooms or anything of that kind?

MR ATTALAH: No, definitely not.

MS ELLYARD: Can I turn to you, Mr Gupta, and ask you perhaps the same
45 question. Firstly, how did you first become aware that there was any infection amongst anyone outside of guests in the hotel?

MR GUPTA: We received an email on the 17 of the 6th, 17 June, early in the morning, mentioning that one of the staff members had tested positive and as soon as we had that email, we make some phone calls to the night supervisors and the guards working there and they confirmed that was the case, and as Mr Attalah said, around 2
5 or 3 o'clock, they were all tested, all the night shift crew working at Stamford, which included Mr Attalah's team members and our team members, would have been tested by DHHS staff for the infection and they were asked to go home after their shift and then the morning staff came in, they were also tested on 17 June.

10 MS ELLYARD: Am I right in understanding that the person who Mr Attalah has referred to, who was referred to in a Facebook post, ended up being someone who worked for your company?

MR GUPTA: That's correct, in turn they all work for MSS but yes, they were
15 working for us.

MS ELLYARD: I guess it's obvious that you hadn't found out from that person directly until you heard through MSS that there was a case of infection amongst
20 staff?

MR GUPTA: That's correct, because I think how it practically worked was that the Department of Health were sharing the results directly with MSS and they had, you know, before even confirming and we found that later on in the stage that even before confirming the actual result to the guards or the employees concerned, we did
25 have that information on hand, that there were some people who tested positive and I believe that's how MSS got to know about that information beforehand. I'm not sure whether he was posting on Facebook or not but, you know, yes. So I don't know on the 16th, but definitely on 17th is when I became aware of this.

30 MS ELLYARD: Can I ask you the same question that I asked Mr Aggarwal, which is, what steps if any did your company take in relation to the staff you had who tested positive?

MR AGGARWAL: What we have ---
35

MS ELLYARD: I'm sorry, it's the question I asked you previously, Mr Aggarwal, I'm going to ask Mr Gupta that question about what he did. You have explained what you did. Sorry, I didn't make this that clear.

40 MR GUPTA: As soon as we got to know that a staff member tested positive, we were asked to extract the rosters from 1 June 2020 and I think a lot of those actions were swift, a very short span of time, maybe a couple of hours that we had to act upon, and then MSS, you know, we had contractor, MSS, getting in touch with us, directing us through this, with information coming through to them from DHHS. So
45 they asked us to extract all the rosters, find out who are the guards that worked at Stamford Plaza from 1st of the 6th and, you know, after that was done we also provided the names and the numbers to MSS, that they in turn provided to DHHS, as

per my knowledge, and once that was identified we were provided with first letter, and that was on the same day, by MSS, again provided by DHHS; that mentioned --- was to be supplied to the guards, giving the initial information about the outbreak. After that, later on on the same day, we were provided with another letter that the
5 guards could present that to testing sites and that would help expedite the results. So, you know, these were --- these were the things that we did do on that same day. And, you know, we --- we informed and followed through the instructions and informed all the staff members concerned, explained the gravity of the situation and explained what was expected out of them.

10

We also asked --- and this was personally managed by me because, you know, we understood this is not like --- this was actually a serious issue, right, so I was personally in touch with the guards as and when we were finding out that they were testing positive, and making sure that they are adhering to the DHHS instructions,
15 staying at home, and we even provided, you know, the initial six guards about \$250 Uber Eats, like, cash allowance for Uber Eats vouchers, we wanted to get them Uber Eats vouchers but we couldn't for the website not accepting those transactions, so we delivered them and ended up providing them \$250 casual allowance from our end.

20 And then in the meantime --- and I refer back to your statement previously as well, as to what were the intentions of the guards, how were they catered to when they were asked to isolate --- there was this initiative by the Victorian Government where all the casual employees, if they have got no leave, you know, allowance, they were eligible for a \$1,500 payment, so I personally, you know, set up a system with the
25 Department, I think we had made some initial queries and they started --- tried contacting us as well, and we found one contact that we were dealing with directly and helping our staff members apply for those payments as well.

Apart from that, the guards that were tested positive, some were in shared
30 accommodation so we --- when I say "we", I probably say myself, you know, followed through with them and made sure that they were, you know, if they were struggling with food or anything, I gave them the options that there is an option where the Government is providing them accommodation at the hotels as well and some of the guards did take that option as well, just to avoid any further spread in the
35 community.

MS ELLYARD: Okay. And you, as I understand it, had direct contact with guards by way of emotional support as well?

40 MR GUPTA: Phone calls, yes, 100 per cent. And I think I've briefly mentioned this in our previous conversations as well, that, you know, the guards were feeling isolated and guards were feeling left out when --- when they were being identified positive and, you know, it's easy for us to say that somebody has contracted
45 COVID-19 and they will recover in 14 days, but what they go through in those 14 days is a lot more, you know, of hell from a personal perspective. So I was always available, I did call all the guards and made sure that, you know, that I'm personally available and, you know, this --- normally, I wouldn't probably be in touch with them

because I have got the operations team and the operations coordinators and business managers who would do this work, but because --- understanding the criticality and the support that was required, I couldn't leave it to somebody else and I followed through and made sure I was in touch with all the guards that have been contracted positive every day throughout until when they got the DHHS clearance.

5
MS ELLYARD: Mr Attalah, can I ask you, what was the process followed by your company with respect to the staff that you had who tested positive? Mr Gupta described an arrangement of roster checking and so forth, but then also certain support structures. What would you wish to say on those two topics?

10
MR ATTALAH: The same as Mr Gupta, we had to provide all the rosters from 1 June through to the 17th and provide contact details of all the guards and addresses and so forth to the head contractor to provide to the Department of Health to do the tracing. From here on I was in contact with all my guards that did test positive on a daily basis to make sure that they were fine and that they adhered to --- the same as Mr Gupta, I supported all my guys through getting that Government support of \$1,500 while they were isolating.

15
20 MS ELLYARD: Thank you. I want to turn now to the last set of questions to ask, and perhaps I'll ask this firstly by reference to you, Mr Paciocco, as a representative of a company that didn't have the experience of security guards becoming infected. Would you send staff into a job like this again if there were to be a Hotel Quarantine Program reopened with respect to travellers who might have quarantine, perhaps knowing not only what your own staff experience was but also what you understand to be the experience of some other contractors?

25
30 MR PACIOCCO: Yes, it's certainly been interesting listening to some of the other contractors. But based on the work that we conducted and the way it was handled with our --- with Wilson, I would certainly look at the opportunity, you know, if it ever arose again, to take on something like this. I think that, you know, a quality security provider such as Wilson is more than capable of, you know, providing adequate service for what was required at hotel quarantine.

35 MS ELLYARD: Can I turn to you, Mr Gupta. As I understand it, there is a particular matter that you would wish to raise with the Board about the expectations that you had of the role played by authorised officers in the program and perhaps the expectations you had of the skill set and background that authorised officers would have. Could I ask you to tell the Board about that?

40
45 MR GUPTA: Sure. So that particular question or commenting on that, it's interesting that you raise it and thanks for giving me that opportunity. When we refer to an authorised officer running the Hotel Quarantine Program from a Government Department, we don't go there and check their credentials to see what is their background or what is their experience in running that program, we assume or we perceive these are the best people to run this program and would have the training and knowledge of running a robust program like this, which is critical for everyday

Victorians, whereas now that we have gone through a few witnesses within this Board of Inquiry and find out that these authorised officers were not necessarily from the Health Department per se or had medical background but they were coming from a variety of different Government realms, which included Parks Victoria and what
5 not, I would say, I would specifically make a comment here that perhaps when we are questioning the involvement of security, I think it's even more questionable whether these authorised officers should have been there in the first place, when they didn't come from any specific, you know, healthcare background, whereas security guards still go through that 17 days' training course and have some basic knowledge
10 of how to operate in this environment, whereas these authorised officers, and we are finding out now, came from a different variety of life and Government offices.

MS ELLYARD: As I understand it, Mr Gupta, you had an assumption that those carrying out the role of authorised officers had a health background?
15

MR GUPTA: That's my assumption and that would be the assumption of an ordinary citizen or a normal Victorian here, that people who are running or are higher up in the chain of command would have that knowledge or expertise of health protocols and we keep on referring to whether the security guards had enough training or not
20 but we are finding out through this Inquiry that some of the authorised officers didn't have that training or that proper induction into the program.

MS ELLYARD: You have also included at paragraph 51 of your statement, Mr Gupta, some additional matters that you wanted to draw to the Board's attention.
25 I'm not going to ask you to read out the whole thing but perhaps if I can pose the same question to you that I posed to Mr Paciocco, would you put your staff into a program like this again and what reflections would you offer to the Board about any changes that you think would be necessary if you were going to participate in future?

MR GUPTA: Sure, so from my perspective, yes, if the opportunity came available, yes, 100 per cent we will consider providing services. Obviously the learning from this has been that, you know, we need to ask relevant questions out of our head contractors and the head contractors in turn need to ask the Government Departments providing or asking for these services, what are these security measures in place, how
35 robust is the program, how robust is the infection control and how --- and in this case this spreads out, what other measures or Government Departments are going to take. I think what has been really disappointing is that, you know, we put security industry into a bad light, whereas, you know, they were actually frontline staff providing services, we refer to nurses being frontline workers and we refer to police as frontline
40 workers but nobody refers to a security guard being a frontline worker, whereas indeed they are providing that protection and the intent of the whole security industry, and I probably say for everyone in the security industry, that the intent was always to protect Victorians from the spread of the virus, never was there a case where somebody went in to do a shift or to provide services with an intent that "I will
45 catch the virus today and I will spread it into the community", I think that wasn't the case and that isn't what a normal person does and I think that hasn't been given a due share by media reports and what not, and they have already found people guilty, even

before the Board has come out with their own verdict. I think that's not reasonable, Madam Chair.

5 MS ELLYARD: Thank you, Mr Gupta. Mr Aggarwal, I saw you nodding and I'm going to ask you the same question. Having been through this process with staff testing positive and all of the difficulties that you have described, would you go into this work again and what, if any, reflections would you want to offer about how it should be different?

10 MR AGGARWAL: Look, 100 per cent if there will be opportunity in the future for Hotel Quarantine Program, our company would like to be part of it. We worked hard, everyone worked hard, our team worked hard, our head contractor given us full support and we follow their instructions and worked everything best out of it. We had --- we made sure that every available training be provided to our staff to make
15 sure that everything goes well. But it's a --- it will be good if we get more time in the future to plan things and we can --- we can make it better then.

MS ELLYARD: Finally, Mr Attalah, can I give you the same opportunity to make any comments about whether you would be involved in future and how it might look
20 different or perhaps be better.

MR ATTALAH: Yes, definitely, Ms Ellyard, if it was to arise again, and MSS were to ask us to do it, we would definitely be back on board. The guards have quite extensive knowledge now of the system and how it operates and they have got some
25 sort of infection control background of how infection spreads, so if the opportunity arises and we do get the chance to go back into it, I would definitely be involved into it.

MS ELLYARD: Thank you, Mr Attalah.

30 Madam Chair, those are the questions that I have of the panel. I have had notice of some applications for leave to cross-examine. Perhaps I'll start with an application by Ms Siemensma on behalf of Your Nursing Agency. She has, as I understand it, quite a limited question or couple of questions to put and I don't object to her
35 application.

CHAIR: Yes. Thank you. That being so, Ms Siemensma, if you can give me a sense of what your questions are directed to and whether it's to any particular
40 member of the panel.

MS SIEMENSMA: Certainly, Madam Chair. I seek leave to cross-examine Mr Attalah, and it is a confined issue that relates to some matters he says in paragraph 23 of his statement, he has reiterated these again this morning, about a
45 demonstration by a nurse. He makes some comments about the timing of that demonstration and the number of people involved in it. I seek leave to ask him a few questions about that.

CHAIR: Yes, I'll grant you that leave.

MS SIEMENSMA: Thank you.

5

CROSS-EXAMINATION BY MS SIEMENSMA

10 MS SIEMENSMA: Mr Attalah, in paragraph 23 of your statement you said there
was a security guard employed by United who has told you that about two weeks
after the commencement of the program at Stamford Plaza, a DHHS nurse delivered
a short demonstration to a small number of security guards and that was about how to
properly wear a face mask, and you said this morning it was also about sanitisation.
15 You say to your knowledge that that demonstration was only given to a small
number of guards, not to all of the guards. You make that comment again in
paragraph 42 of your statement. Let me ask you about that: sir, you have no personal
knowledge of the relationship between DHHS and the various organisations that
provided nurses to the sites, do you accept that proposition?

20 MR ATTALAH: Yes.

MS SIEMENSMA: And you have no personal knowledge of the timing or of the
scope of directions given by DHHS to nurses at the hotel sites; is that correct?

25 MR ATTALAH: Correct.

MS SIEMENSMA: Thank you, sir. I have no further questions.

CHAIR: Thank you.

30

MS ELLYARD: Madam Chair, I have also had notice of an application by
Ms Golshtein on behalf of MSS Security. My understanding is that I may well have
already dealt myself with a number of matters that she was going to raise but that
there might be at least one discrete matter, perhaps relating to some documentation.
35 Again, on the basis of the discussions that she and I have had, I don't oppose her
application.

MS GOLSHTEIN: Thank you, Madam Chair. I have foreshadowed a number of
topics with Ms Ellyard that I wish to take Mr Attalah and Mr Gupta to. Those relate
40 to questions around training, working at different venues and advice provided by
MSS about PPE and some discrete questions in relation to circumstances around
symptomatic individuals and the complaints raised. Ms Ellyard has traversed a
number of those matters today so I don't propose to duplicate those.

45 I initially had proposed to simply go through those matters with both witnesses in a
panel form for efficiency. If I could be granted leave on those matters.

CHAIR: Yes, I'll grant you that leave.

MS GOLSHTEIN: Thank you, Madam Chair.

5

CROSS-EXAMINATION BY MS GOLSHTEIN

MS GOLSHTEIN: Mr Attalah, and Mr Gupta, can you see me?

10

MR GUPTA: Yes.

MR ATTALAH: Yes.

15 MS GOLSHTEIN: My name is Emily Golshtein, I represent MSS Security in this Inquiry. I will initially ask you both some questions, and if you could each answer that question once it's completed and that way I'm not asking each of you the same question again.

20 If I could first take you to the questions of training. To the best of your ability, you both ensured that the Commonwealth Government online training module was completed by your staff; is that right?

MR GUPTA: That's correct.

25

MR ATTALAH: Yes, that's correct.

MS GOLSHTEIN: And you proceeded to forward certificates of those completions to MSS?

30

MR GUPTA: That's correct.

MS GOLSHTEIN: Could the operator bring up MSSS.0001.0003.0857_R.

35 Madam Chair, this and the document which follows have been raised previously and I don't propose to tender them today. They will necessarily form part of the witnesses' evidence in due course.

CHAIR: Is that the document that you are after, Ms Golshtein?

40

MS GOLSHTEIN: Yes, thank you. Mr Attalah and Mr Gupta, do you each see this, it's an email sent by the business manager of MSS on 30 March to a range of recipients? You will see there --- you will probably recognise your own emails majorevents@thesecurityhub, Mr Chopra @thesecurityhub and your personal email there, Mr Attalah?

45

MR ATTALAH: Yes, that's correct.

MR GUPTA: Yes, that's correct.

MS GOLSHTEIN: And you accept that you would have received this email?

5

MR ATTALAH: Yes.

MR GUPTA: Yes.

10 MS GOLSHTEIN: If the operator could scroll down, at the top, the MSS manager states in the second line:

Can you please ensure any of your staff that are working at MSS sites complete this module.

15

Can you see that?

MR GUPTA: That's correct.

20 MR ATTALAH: Yes.

MS GOLSHTEIN: It forwards an email from a training manager, which reads in the second line that the document attached is what is called the Infection Prevention and Control training module, and that's now available. Do you see that?

25

MR ATTALAH: Yes.

MR GUPTA: That's correct.

30 MS GOLSHTEIN: She goes on to say it:

.... provides information and instructions for your subbies on how to complete the program, please ensure this is made a requirement for all subcontracted personnel.

35

MR GUPTA: I would just want to question that second part of that email, because it doesn't have the recipients on top of that email, so I can't confirm whether we received that email or not, because the first email, you can see our email has been mentioned, whereas I'm not sure whether it's a continued chain or not. But --- I'm not saying that we never received that email but I can't confirm it to the best of my knowledge.

40

MS GOLSHTEIN: Yes, certainly, Mr Gupta, if I could clarify that, the second sentence in the first email says, "Please see below from our head office", and it is simply forwarding the email below it.

45

MR GUPTA: That clarifies that.

MS GOLSHTEIN: That can come down now, thank you.

5 If we could go to the relevant attachment, could the operator please bring up
MSSS.0001.0013.0029. Yes, thank you.

10 This is an MSS internal training module for subcontractors and it is entitled
"Infection prevention and control". Do you both accept that is the nature of the
document that was forwarded to you on 30 March?

MR GUPTA: Again, as I said, this would have been the document, if it was part of
the attachment, yes, that's correct.

15 MS GOLSHTEIN: Yes, certainly. And Mr Attalah?

MR ATTALAH: Yes, that's correct, it forms part of the document.

20 MS GOLSHTEIN: Sure. If the operator could please scroll through the document,
stopping briefly at slide 6, and you can see there at slide 6 this is entitled "Hand
hygiene" and moving to slide 7, which deals with personal protective equipment,
slide 8, which concerns safe management of the work place.

MR GUPTA: That's correct.

25 MS GOLSHTEIN: Slides 11 and 12 deal with specific information about
COVID-19.

MR GUPTA: Mm-hm.

30 MS GOLSHTEIN: And slide 13 concerns social distancing measures. At the bottom
of that slide, if we actually zoom in there, Mr Operator, we can see there's a link to a
social distancing guide by the Australian Government. Can you both see that?

35 MR GUPTA: That's correct.

MS GOLSHTEIN: Then slides 14 and 15 concern self-isolation and the
identification of COVID symptoms. Can you see that?

40 MR ATTALAH: Yes.

MR GUPTA: Yes.

MS GOLSHTEIN: Thank you, that can come down now.

45 Mr Attalah and Mr Gupta, would you both agree that MSS had arranged this training
module for completion by its subcontractors? Can you both hear me?

MR GUPTA: Yes, we can hear you.

MS GOLSHTEIN: Would you agree that that module was arranged by MSS for its subcontractors?

5

MR GUPTA: Yes, I would agree that they have certainly asked us to complete that module by subcontractors.

MS GOLSHTEIN: Yes. And Mr Attalah?

10

MR ATTALAH: Yes, I agree to that as well.

MS GOLSHTEIN: And once the program had indeed commenced, insofar as MSS provided on-site briefings daily and advice in relation to PPE changes and social distancing, I take it you would agree that those briefings and advice occurred?

15

MR GUPTA: So I would agree that these briefings occurred but these briefings occurred to the on-site security supervisors, which would have been sometimes MSS staff, sometimes subcontracted staff doing the supervision duties, which were obviously instructed by the MSS management and we did receive regular updates about changing PPE instructions as well from MSS. They were very good in providing, and I say the same for Wilsons as well, they were pretty proactive in how this information was supplied to all the contractors, or at least us.

20

25 MS GOLSHTEIN: Mr Attalah, would you agree?

MR ATTALAH: Yes, I do.

MS GOLSHTEIN: I take it, consistent with your obligations, you both ensured that your staff attended those briefings and meetings to the best of your availability?

30

MR GUPTA: That's correct.

MR ATTALAH: Yes, they have.

35

MS GOLSHTEIN: If I could turn to the question of working at other sites, which is dealt with at paragraph 36 of both of your statements, Mr Attalah and Mr Gupta, you both state that to the best of your knowledge none of your guards were working at more than one hotel during the program.

40

MR ATTALAH: Yes.

MS GOLSHTEIN: To your observations during the program, that was the usual practice adopted by MSS, wasn't it?

45

MR ATTALAH: Correct.

MR GUPTA: I think that was a usual practice and I think it was a common sense approach that prevailed over what should have been the practice and then once the outbreaks were confirmed I can confirm that that was asked of us in writing as well.

5 MS GOLSHTEIN: Mr Gupta, if I could clarify, in answer to Ms Ellyard's questions, you said that not all hotels were operating simultaneously. Do you recall that?

MR GUPTA: Yes, that's correct.

10 MS GOLSHTEIN: Do I understand your evidence correctly that even where hotel operations may not have been simultaneous, your practice was always to ensure your staff worked at separate hotels?

15 MR GUPTA: So that would have been correct, to a point where, you know, the staff was attending a particular hotel and then if they stopped working and then, you know, if that hotel ceased to work then obviously they will move on to another site, if so required.

20 MS GOLSHTEIN: Yes. And, Mr Attalah, you say in your statement at paragraph 18 that United did not engage any firms of subcontractors or labour hire companies to provide services to MSS; is that correct?

MR ATTALAH: Yes, that's correct.

25 MS GOLSHTEIN: If I could turn briefly to the question of PPE advice --

MR GUPTA: Sorry, you are breaking up.

30 MS GOLSHTEIN: Can you hear me?

MR GUPTA: Yes, now we can.

35 MS GOLSHTEIN: Was it each of your understandings that DHHS was to provide staff with on-site training and instruction about PPE?

40 MR GUPTA: So again, our understanding was that once on site the relevant personnel will provide that training, whether it be from DHHS or MSS, you know, that still isn't very clear, to be honest. You know, we would --- we were just guided by MSS in that particular matter as to who would be providing that training and whether it would be the on-site nurses or authorised officers or the on-site supervisor. That differed from time to time.

45 MS GOLSHTEIN: And Mr Attalah, did you understand DHHS would provide on-site training about PPE?

MR ATTALAH: We were told that full PPE would be provided on site, either if it was from DHHS or MSS, and that was the matter between us.

5 MS GOLSHTEIN: Yes. And is it the case, as you have both raised in your statements at paragraph 23, that but for some incidental advice provided by DHHS nurse and some training at Stamford on 24 June, Mr Attalah and Mr Gupta, that DHHS didn't provide the PPE at site?

10 MR GUPTA: As per my knowledge, all the PPE was provided by MSS Security, now how they sourced it, whether they sourced it from DHHS or any other Government Department, that's a matter between those two operators. But from my perspective or our business' perspective, this was always provided and taken care of, or if there were any questions around PPE, we were directing them back to the head contractor, which was in this case MSS.

15 MR ATTALAH: Yes, that's correct, I agree with that too.

MS GOLSHTEIN: Insofar as MSS has sent each of you and your companies a version of what was the Government PPE guidelines, you accept that you would have received those?

20 MR GUPTA: That's correct.

MR ATTALAH: Yes.

25 MS GOLSHTEIN: Mr Attalah, where you say in paragraph 42 of your statement that because PPE was subject to change over time, some of your guards had informed you that it was at times confusing, do you recall that?

MR ATTALAH: Yes, I do.

30 MS GOLSHTEIN: Am I correct to understand that you are not suggesting that the advice provided by MSS was what was causing that confusion but rather because it was always changing?

35 MR ATTALAH: Definitely not, it wasn't the advice that was given by MSS but because it was given --- it was changing on a regular basis.

40 MS GOLSHTEIN: And it was the case, wasn't it, that other bodies, such as hotel staff, AOs, as we have heard recently, and DHHS nurses, were also providing PPE advice on occasion?

MR ATTALAH: To the best of my knowledge, I think so, yes.

45 MS GOLSHTEIN: That may have also, Mr Attalah, contributed to your guards' confusion, I take it?

MR ATTALAH: Yes.

MS GOLSHTEIN: If I can turn to the question of COVID cases, and I will deal with this quite carefully and I don't propose to traverse what Ms Ellyard has already gone to, I take it that each of you understood that if MSS had been made aware of a COVID-positive guest in the hotel that you were providing staff, that they would
5 have informed you as soon as they were aware?

MR GUPTA: That's correct.

MR ATTALAH: Yes.
10

MS GOLSHTEIN: And if there was information available to MSS about guests who were symptomatic or perhaps undergoing testing, you would expect that they would tell you about that as well?

MR ATTALAH: Yes.
15

MR GUPTA: That's correct.

MS GOLSHTEIN: Would you agree that if MSS had not been told about when a guest had tested positive for COVID, it of course couldn't then relay that information to you?
20

MR ATTALAH: Yes.

MR GUPTA: I could like to add there, even if in those cases where MSS was not aware and we were not aware, we were being encouraged and we were making proactive steps by contacting guards, at a point in time two times a day, making them calls to find out what is their results, because initially the information was relayed back to MSS and I think for some confidentiality or privacy reasons, they were
30 relayed back to the guards directly and at that stage we were making those proactive efforts to source that information and ensure that we are managing this proactively.

MS GOLSHTEIN: Yes, thank you. It was the case, wasn't it, that if MSS wasn't aware of whether a guest was symptomatic or awaiting a test result, that information
35 wouldn't have been passed on to you from MSS?

MR GUPTA: That's correct.

MS GOLSHTEIN: Do I understand correctly that it was not until an actual COVID-positive result was identified to MSS and then relayed to you, until such time --
40

MR GUPTA: Sorry, you are breaking up.

MS GOLSHTEIN: Can you hear me?
45

MR GUPTA: Can you please repeat your question?

MS GOLSHTEIN: Certainly. Was it the case that until a positive COVID result was identified by MSS and then conveyed to you, your staff would have gone about their day-to-day duties in the usual way?

5

MR GUPTA: Absolutely, it was business as normal for them.

MS GOLSHTEIN: I will put these as a list, and if you might each confirm at the end, was it the case that they would have continued to interact with guests?

10

MR GUPTA: They would have in that case, as I said, it was business as normal, so that would entail that they would be interacting with guests because there was no confirmation or news about any positives.

15 MS GOLSHTEIN: Yes, and Mr Attalah, you would agree with that?

MR ATTALAH: Yes.

MS GOLSHTEIN: They would have continued interacting with --- I'll make a list here: hotel staff, nurses, representatives of DHHS, representatives of DJPR, potentially, and also other security guards? Their day-to-day duties would have involved potentially interacting with all those bodies; is that correct?

20

MR ATTALAH: Yes.

25

MR GUPTA: Potentially with --- not all of them, depending on the nature of the duties the particular guard would have, they would have one or many of those people in that list.

MS GOLSHTEIN: Do I understand that those interactions might have also included the kinds of duties you have both described in paragraph 19 of your statement, so checking in luggage in the foyer, escorting on exercise breaks and making deliveries to rooms; those are all duties that would have attracted your staff's attention?

30

MR ATTALAH: Yes.

35

MR GUPTA: That's correct.

MS GOLSHTEIN: In the course of those interactions, it is possible these people were sharing lifts in the hotels?

40

MR GUPTA: Quite possibly.

MS GOLSHTEIN: They were certainly present at the same floors of the hotels?

45

MR GUPTA: I couldn't say that for sure, because that's an area outside my knowledge.

MS GOLSHTEIN: Yes. They would have been --- your guests would have been on floors with other guests, presumably --- your guards would have been on the same floors as guests?

5

MR GUPTA: That's correct.

MS GOLSHTEIN: That is right, Mr Attalah?

10 MR ATTALAH: Yes. With the lifts kind of thing, it was just the one guard in the lifts with the guests escorted to that one room, so there was no --- to the best of my knowledge, there was no other guards in there with them.

15 MS GOLSHTEIN: It's possible, is it not, that where your staff did not know that a particular guest was symptomatic or was awaiting results, those guests that they were interacting with could certainly have been infectious at the time your staff were interacting with them?

20 MR ATTALAH: Yes.

MR GUPTA: That's correct, I think it was a duty of care for the authorised officer to look after that aspect of managing if somebody was COVID-positive or had symptoms and ensuring these people were not interacting with guards or any of the hotel staff. That was very clear to myself, that was the duty of care of the person who was managing that operation on site.

25

MS GOLSHTEIN: Yes, thank you.

30 Mr Attalah, is it the case that before you became aware of the COVID-positive security guard that you have described, you had no knowledge of any other cases preceding that at the Stamford?

MR ATTALAH: No.

35 MS GOLSHTEIN: Mr Gupta, was that your knowledge as well before you became aware of that guard, you also had no idea of any earlier positive cases at the Stamford?

40 MR GUPTA: That's correct.

MS GOLSHTEIN: To the extent there will be evidence that MSS also lacked that knowledge about any earlier positive cases, you wouldn't be able to dispute that?

45 MR GUPTA: No, I wouldn't dispute that. I think it was common knowledge at about 2 or 3 o'clock on the 17th morning and after that everybody tended to know what was happening. But maybe in that case MSS management got notified about this later on on the 17th and that's when they emailed me up. You know, I don't

know the facts but this is my assumption of how the emails would have occurred.

5 MS GOLSHTEIN: If I could ask you both briefly about the question of car-pooling, and each of you has raised that in your statement. I take it you have both worked with MSS for some time; is that correct?

MR GUPTA: That's correct.

10 MS GOLSHTEIN: You both would understand from past events if there were issues with staff practices --- if there were issues with staff practices or issues, those could have been raised with MSS?

15 MR GUPTA: So that's correct. But if you are specifically asking about car-pooling, car-pooling was not identified as an issue.

MS GOLSHTEIN: I'll come to that in a moment, Mr Gupta.

MR GUPTA: Sorry, you are breaking up.

20 MS GOLSHTEIN: I am asking you, for the moment, if there were issues in the past --- Mr Gupta, I'll just repeat the question. If there were issues in the past, it was the case that you could raise them with MSS; is that right?

25 MR GUPTA: That's correct, it's an open door policy, two-way communication and you can speak with your head contractor any time.

MS GOLSHTEIN: Mr Attalah, you would agree with that?

30 MR ATTALAH: Yes, I would.

MS GOLSHTEIN: Before becoming aware of the COVID-positive case which you have both outlined, you were not aware that your staff were car-pooling with other staff; is that correct?

35 MR GUPTA: That's correct, we were not aware of it. If we were, we would have possibly identified that as a risk and stopped that practice before we even had that positive case.

40 MS GOLSHTEIN: Mr Attalah, before you became aware of the COVID-positive case that you outlined, were you too not aware of car-pooling as a practice?

MR ATTALAH: Yes, that's correct, I did not have any prior knowledge of the car-pooling.

45 MS GOLSHTEIN: And I take it, had you known about that practice, you would have certainly referred it on to MSS; is that right?

MR ATTALAH: Yes, definitely.

MS GOLSHTEIN: Mr Gupta, you too?

5 MR GUPTA: Yes, as I mentioned previously.

MS GOLSHTEIN: If I could now turn --- in any event, and I'll finish on car-pooling, following that incident about the COVID-positive guard and investigations that followed, each of you was then directed by MSS to tell each of your staff to cease
10 car-pooling; is that correct?

MR GUPTA: That's correct.

15 MR ATTALAH: Yes.

MS GOLSHTEIN: Mr Gupta, if I could briefly return to the complaint Ms Ellyard has already raised with you in relation to the guard, the concern with his gloves, do you recall that?

20 MR GUPTA: Yes, I recall it, but I would rather have it in front of me if you were to ask me a specific question.

MS GOLSHTEIN: I won't go to the actual complaint itself, just in general Mr Gupta, that complaint was made about 14 June?

25 MR GUPTA: Yes.

MS GOLSHTEIN: At paragraph 24 of your statement you describe receiving PPE instructions from MSS from time to time. It was your practice to distribute those to
30 your staff; is that right?

MR GUPTA: That's correct.

MS GOLSHTEIN: And insofar as MSS sent you some updated PPE guidelines on
35 about 11 June, do you accept that you would have received those?

MR GUPTA: That's correct.

MS GOLSHTEIN: And you would have circulated them, I take it?
40

MR GUPTA: Hundred per cent.

MS GOLSHTEIN: In answer to Ms Ellyard's questions about this complaint, you have already outlined the nature of it. Is it the case that on receipt of that complaint
45 you immediately escalated it to MSS?

MR GUPTA: That's correct.

MS GOLSHTEIN: As outlined in the attachment to your statement, Mr Gupta, about a week following the incident and after a range of meetings, MSS had circulated some PPE guidelines back to you; is that right?

5

MR GUPTA: That's correct.

MS GOLSHTEIN: If you can recall, that guidance was referring to some DHHS updated luggage handling preferences and PPE matters around those issues. Do you remember that?

10

MR GUPTA: Yes, that would have been the case.

MS GOLSHTEIN: And I think you told us earlier that in any event at all times MSS continued to provide updated guidance to its staff by reference to whatever guidelines were relevant at the time; is that right?

15

MR GUPTA: As and when they became available to MSS, they were passing it on to us and we were passing it on to our staff.

20

MS GOLSHTEIN: Mr Attalah, turning to the complaint you raised on 11 June in your statement at paragraph 49, you describe how, in escalating that incident, the MSS manager indicated that it would be forwarded on for a response. Do you remember that?

25

MR ATTALAH: Yes, that's correct.

MS GOLSHTEIN: Whilst I appreciate that you didn't receive a response, you have no reason to believe the complaint was not indeed forwarded?

30

MR ATTALAH: No, I don't.

MS GOLSHTEIN: And I take it you don't have any personal knowledge that it wasn't dealt with, the complaint?

35

MR ATTALAH: No.

MS GOLSHTEIN: If there will be some evidence that following the investigation it was identified that the guard complained of was indeed wearing a mask and gloves at the time, I take it you wouldn't have any personal knowledge to dispute that?

40

MR ATTALAH: No, I won't.

MS GOLSHTEIN: Thank you. Mr Attalah, just briefly on the question of temperature checks, which Ms Ellyard has raised, you have said in your statement at paragraph 49 again that you suggested to MSS staff, around the time of that COVID-positive case in the middle of June, that temperature checking should be

45

adopted at the Stamford at the commencement of shifts. Do you recall that?

5 MR ATTALAH: Yes. I sort of had an informal conversation with MSS's supervisor, I can't really recall who it was, and I did mention something in regards to "Why don't we have everyone as they come through temperature checked from that time?" I don't know where it went from there but it was just an informal conversation that I was having with a supervisor.

10 MS GOLSHTEIN: If evidence has been given to this Inquiry from a manager at the Stamford Plaza that temperature checking began in late June, at transcript 620 line 44, it is possible you were simply unaware of that practice; is that right?

15 MR ATTALAH: Yes, definitely during that time I was unaware. I wasn't going into the hotel, we were all isolating ever since 17 June.

MS GOLSHTEIN: If I could take you both finally to my last question, in relation to a question of payment, Ms Ellyard has taken each of you to questions around pay. When you rendered an invoice to MSS, to ensure your staff were paid promptly, I take it you would both accept that it was MSS practice to pay invoices on seven-day terms?

20 MR ATTALAH: Yes.

MR GUPTA: For us the invoicing arrangement worked differently with MSS, they paid us on RCTI, which is seven days term. But we didn't even have to raise an invoice; we identify the hours and it gets paid automatically on a recipient-created tax invoice basis.

30 MS GOLSHTEIN: Thank you. Thank you both for your cooperation today. If the Board pleases.

MR GUPTA: Thank you, Emily.

35 MR ATTALAH: Thank you, Emily.

MS ELLYARD: Madam Chair, I have two more applications of which I'm aware. The first is on behalf of Wilson Security. Can I indicate that I have largely disagreed with my learned friend about whether or not this application should be granted but it may well be that over the course of the morning the scope of it has been refined, so perhaps I'll invite Mr Craig to make his application.

MR CRAIG SC: Thank you, I'm indebted to my learned friend.

45 Madam Chair, there are a number of very short matters on which I seek leave to briefly examine. They are as follows: first, Mr Paciocco said in his evidence that Black Tie's relationship with Wilson started in March 2020. My learned friend started a question, but didn't proceed with it, as to whether or not that was an

unrelated relationship. In fact, the matter I want to put to Mr Paciocco is on 23
March 2020 Black Tie signed a contract with Wilson for the provision of security
services and those security services are defined as "such security services as may be
requested by Wilson from time to time". So in the context of Mr Paciocco's answer
5 to question 15 put to him by the Inquiry --- that is, a question directed at the legal
relationship between Wilson and Black Tie --- it is necessary for the Inquiry to have
tendered before it those contractual documents. That's all I seek to do, that is, tender
the documents and confirm with Mr Paciocco that they were executed. So that
question will take no more than a number of minutes. And it is necessary to allow
10 my client to properly put the evidentiary suite of materials before the Inquiry as to
the legal relationship with Black Tie, conscious of course that we did not get access
to Black Tie's statement until after our statements had been provided to the Inquiry.

The second matter on which I wish to examine is that Mr Gupta's evidence on
15 temperature checking is in direct conflict with Mr Watson's evidence as to when it
started. Mr Watson's evidence is that temperature checking commenced at the Pan
Pacific Hotel on 5 April. My learned friend Ms Golshtein appears to have already
been given permission to ask a question on an almost identical topic, that is
temperature checking, and we would seek the same leave in respect of Wilson.

20 The third topic is that Mr Paciocco stated in his oral evidence that Wilson provided
PPE in the form of masks. He omitted from his answer that gloves and eye
protection were also provided and I would like to clarify with Mr Paciocco whether
that was inadvertent or intentional.

25 The final topic I would like to seek leave to examine is in relation to the question on
margins. In my respectful submission, the Inquiry would be assisted by
understanding from Mr Gupta and Mr Paciocco that Wilson bore the cost of
supervision of staff on site by Wilson or the cost of PPE or the cost of providing
30 meals to the guards and bore the cost of providing rostering and logistics support and
medical advice that underpins the provision of guidance to the guards. Having
regard to the line of questioning on margins, that in my respectful submission is a
matter that will assist the Inquiry.

35 CHAIR: In what ---

MR CRAIG SC: If the Inquiry --

40 CHAIR: Yes, go on, Mr Craig.

MR CRAIG SC: Thank you, Madam Chair.

45 **CROSS-EXAMINATION BY MR CRAIG SC**

MR CRAIG SC: Mr Paciocco, can you hear me?

MR PACIOCCO: Yes, I can.

5 MR CRAIG SC: Mr Paciocco, on 23 March 2020 you were provided with a provision of services agreement by Wilson. Do you recall that?

10 MR PACIOCCO: I was actually going to quickly flick through some emails. I don't recall it but I'm not doubting that I wasn't. I certainly imagine that I would have been.

15 MR CRAIG SC: Could Mr Paciocco please be shown document WILS.0001.0012.0033. Can I ask the operator to put that on the right-hand side and arrange on the left-hand side WILS.0001.0012.0031. Sorry, I'll give the document reference again, WILS.0001.0012.0031. Thank you. You will see that's the covering email to that agreement, Mr Paciocco. Can you read that?

MR PACIOCCO: If we --- could we zoom in a little bit on that?

20 MR CRAIG SC: Yes, on the left-hand document, please, operator.

MR PACIOCCO: Yes, that's fine.

25 MR CRAIG SC: Your business partner Glen to which you are referring is Glendon Davis; is that correct?

MR PACIOCCO: Evans, that is.

30 MR CRAIG SC: Thank you, yes. Glendon Evans signed the provision of services agreement?

MR PACIOCCO: Do we have that signature?

MR CRAIG SC: Yes, I can arrange for that signature --

35 MR PACIOCCO: That's fine. Yes.

MR CRAIG SC: You accept that Black Tie executed a provision of services agreement with Wilson in March 2020?

40 MR PACIOCCO: Yes, I do.

45 MR CRAIG SC: Thank you. While you're at the microphone, can I ask you about PPE. Do you recall my submission that you said in your answer about the provision of PPE you referred to masks. Was that the only form of PPE provided to Black Tie by Wilson?

MR PACIOCCO: No, it wasn't. Apologies for that. I actually made some notes,

I was going to come back to that at the end. You are correct in saying that gloves were provided as well as protection for eyes.

5 MR CRAIG SC: Thank you. Again, whilst I have got you and before turning to Mr Gupta, am I right to say that Wilson bore the cost of providing that PPE to guards?

10 MR PACIOCCO: Yes, correct. There was --- I think I mentioned earlier there was an abundance of equipment and guards were encouraged to replace whenever they were --- whenever they felt as though they needed to; so each level and also the lunchroom, where a meal was provided to all of our people for every shift.

15 MR CRAIG SC: Thank you. And Wilson also bore the cost of providing the supervision staff from Wilson for Black Tie guards?

MR PACIOCCO: Correct. There was a supervisor there at the start of every shift and throughout the shift and that was a cost, yes, of course, from Wilson.

20 MR CRAIG SC: And Wilson also bore the cost of providing the rostering and logistics support in relation to staffing levels?

MR PACIOCCO: Yes, I had ample support from Wilson. I received daily emails in regards to rostering or any changes to the roster, along with phone calls.

25 MR CRAIG SC: Thank you very much, Mr Paciocco. No further questions for you.

If I could ask Mr Gupta a couple of questions. Mr Gupta, in answer to question 44 posed by the Inquiry, you said --

30 CHAIR: Those documents can come down, Mr Craig.

MR CRAIG SC: Can I tender both of these please, Madam Chair?

35 CHAIR: No objection, Ms Ellyard?

MS ELLYARD: There is no objection, Madam Chair.

40 CHAIR: Exhibit 55.

EXHIBIT #055 --- DOCUMENTS MARKED WILS.0001.0012.0031 AND WILS.0001.0012.0033

45 MR CRAIG SC: Mr Gupta, in answer to question 44 posed to you by the Inquiry, you said:

To our knowledge there was no temperature testing conducted at any of the hotels for security staff at the onset of the program.

5 In his evidence before this Inquiry, Mr Watson of Wilson says the temperature testing was implemented from 5 April 2020 at Wilson's hotels. Are you --

10 MR GUPTA: To my knowledge, I have still maintain my statement that --- again, if it was something that was mentioned to us by Wilson then that would have been then adhered by our operations staff. But to my knowledge, I still maintain my position.

MR CRAIG SC: Thank you. What I wanted to check is that it is your knowledge you are basing your answer on, isn't it?

15 MR GUPTA: Absolutely, I think that's the witness statement that has been asked of me to provide, and that's what my knowledge is reflected in that witness statement, isn't it, Mr Craig.

20 MR CRAIG SC: Yes. And you didn't check with your staff about the answer to that question, did you?

MR GUPTA: Do you have any documents in contrary to say that this was done?

MR CRAIG SC: Can you answer my question, please, Mr Gupta?

25 MR GUPTA: And that's what I'm asking you, do you have a document to show that proves me otherwise --- proves otherwise?

30 MR CRAIG SC: Mr Gupta, I'm going to repeat my question --- and I'll remind you, you are on oath before the Inquiry --- you didn't check with your staff about whether temperature testing had commenced on 5 April, did you?

MR GUPTA: I did make inquiries with my staff and this was never mentioned to me by the staff.

35 MR CRAIG SC: Okay. And your evidence is you checked that with your staff, did you?

MR GUPTA: That's correct.

40 MR CRAIG SC: In answer to your question, there are contemporaneous --- well, there are documents available to the Inquiry which indicate that prior to this Inquiry being announced that temperature checking commenced in April. So thank you for that.

45 Can I then ask you this question: in relation to the provision of PPE by Wilson, was it your understanding and was it the fact that Wilson provided it at its cost to Security Hub guard?

MR GUPTA: That's correct.

MR CRAIG SC: And Wilson provided at its cost meals to Security Hub guards?

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MR GUPTA: At the later stage. I think we worked there for three weeks, I think initial week there were no meals but later on there was provision of meals as well.

MR CRAIG SC: And Wilson provided supervision staff at the hotels at its cost?

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MR GUPTA: That's correct.

MR CRAIG SC: And it provided rostering and logistics support for staff at the hotels at its cost?

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MR GUPTA: When you say logistics and staffing levels, yes, Wilson did provide that, but you know to a point where they asked us to arrange that and then we had to in turn, you know, maintain those rosters and run it at our end.

MR CRAIG SC: Thank you, I'm grateful. No further questions of Mr Gupta, Madam Chair.

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MR GUPTA: Thank you, Craig.

MS ELLYARD: The last application I have notice of, Madam Chair, is on behalf of the Department of Jobs, Precincts and Regions. Again, Ms Condon and I have conferred and I understand that her application is perhaps proceeding in a more modified form than that which was originally indicated but I will invite her to make her application.

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MS CONDON QC: Thank you, Ms Ellyard.

Yes, Madam Chair, I have an application that pertains to a very discrete issue. That issue arises from paragraph 72 of Mr Aggarwal's statement. It relates to a whistleblower complaint that was made on 23 April but Mr Aggarwal's response is contained at paragraph 72(d) of his statement. I just have a couple of questions that I would like to ask him about the particulars of the complaint as it was conveyed to him by Unified and his response to the complaint. It is --- as I said, Madam Chair, it is a very discrete issue.

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CHAIR: Yes, I'll grant you that leave, Ms Condon.

MS CONDON QC: Thank you, Madam Chair.

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CROSS-EXAMINATION BY MS CONDON QC

MS CONDON QC: Mr Aggarwal, can you see and hear me okay?

MR AGGARWAL: Can you see me?

5

MS CONDON QC: Yes, I can. Mr Aggarwal, I appear on behalf of the Department of Jobs, Precincts and Regions, which had held the contract with Unified Security.

MR AGGARWAL: Yes.

10

MS CONDON QC: I want to ask you about what you have said to the Board at paragraph 72(d) of your statement, where you outlined a response as to certain complaints that had been made from a whistleblower complaint. Do you recall providing those answers to the Board in your statement?

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MR AGGARWAL: Yes.

MS CONDON QC: And as to the particulars of that complaint, you responded to an allegation that there had been an argument or scuffle between two guards. Do you recall that?

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MR AGGARWAL: Yes.

MS CONDON QC: You responded to a complaint that there had been some suggestion that a guard had been drinking whilst working. Do you recall that?

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MR AGGARWAL: Yes, there was a --- there was an allegation on that, yes.

MS CONDON QC: You responded in relation to an allegation by a female guard of sexual harassment by two supervisors. Do you recall that?

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MR AGGARWAL: Yes.

MS CONDON QC: And you responded specifically to a complaint by a guard that guards had been given an alcoholic drink in certain circumstances. Do you recall that?

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MR AGGARWAL: Yes.

MS CONDON QC: All right. Now, the specifics of this complaint, the whistleblower complaint, that was conveyed to you by Unified Security, wasn't it?

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MR AGGARWAL: Yes.

MS CONDON QC: And insofar as the client against --- sorry, insofar as the particulars of the complaint are concerned, was it ever conveyed to you by Unified Security that you and your business partner were alleged to be charging for up to

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12 hours work for subcontractors but sending many of them home after six or seven hours and keeping the rest of the money? Did Unified ever --- just before you answer my question, sir --- did Unified ever specifically give you the detail of that particular allegation, in other words that there was some sham contracting going on and that you in fact were subcontracting?

MR AGGARWAL: Unified had told us about this complaint and we have given a full explanation of that. We haven't used any subcontractor for doing a job under our company and we have given an explanation of that, as I have mentioned this before as well, to Ms Ellyard regarding the overbooking of guards. So sometimes we have been told that we need some extra guards to help with the buses, so that's why we have explained before that some guards may have thought we have sent them home, we have told them we have sent them home, and there was a complaint, there was a whistleblower who made that complaint, I believe so, to DJPR as per my understanding and it's been brought forward by Unified to us and we have given them explanation and we have not invoiced for those extra hours to Unified.

MS CONDON QC: Perhaps, Madam Chair, if the witness could be shown SSG.0005.0001.0006, if that document could be placed on the screen. As I understand it, Mr Aggarwal, this is the content of your response to Unified Security, so we will just have a look at that, if we may.

Mr Aggarwal, do you see that document there before you?

MR AGGARWAL: Yes, can you please zoom it up?

MS CONDON QC: Yes. Just before we go to the detail in document, you identify this as a document that is authored by you?

MR AGGARWAL: Yes, that's been sent by me, yes.

MS CONDON QC: In fact, specifically this was the response that you are telling the Board you made to the complaint being conveyed by Unified to you; correct?

MR AGGARWAL: Yes.

MS CONDON QC: If we scroll down to the next page, there is a part that deals with "Late Payment/Wages". Do you see that there?

MR AGGARWAL: Yes.

MS CONDON QC: Do you agree there is no response given to Unified specifically about the allegations that you and your partner had been subcontracting at the site? Do you agree?

MR AGGARWAL: Regarding that basic complaint, my business partner had conversation with ops manager on site because Unified Security had ops manager on

each site and they were looking after the hotel operations and that explanation was given to the ops manager on site.

5 MS CONDON QC: I appreciate that. But could you direct yourself and grapple with my question, please. In relation to that written response to Unified that you have in front of you --- do you see that?

MR AGGARWAL: Yes.

10 MS CONDON QC: --- do you agree that there was no specific reference to responding to the allegation that you were subcontracting on site as per the allegation. Do you agree?

MR AGGARWAL: Yes.

15

MS CONDON QC: Thank you. Now, perhaps, Madam Chair, if that document can be taken from the screen at that stage.

20 Now, Mr Aggarwal, I'm going to show you another document. Madam Chair, if DJP.110.004.0567 could be placed on the screen, please.

25 Now, Mr Aggarwal, I don't suggest that this is a document that you would have seen before but, as you can see, it has the Unified Security logo and it is dated 28 April 2020. Do you see that?

25

MR AGGARWAL: Yes. Can you please make it a little bit bigger?

30 MS CONDON QC: Okay. I just want to draw your attention, please, to the first paragraph, which indicates that it is relevant to the Crown Casino's external whistleblower service. Do you see that there?

MR AGGARWAL: Yes.

35 MS CONDON QC: And indicates Unified Security has taken these issues of concern seriously and would like to provide the following response to these allegations.

Do you see that there?

40 MR AGGARWAL: Yes.

40

MS CONDON QC: If I could direct you to the part in the second paragraph that reads:

45 *.... I can confirm has been on site as a team leader's since the commencement of service at Promenade and Metropol since the 30th of March 2020, to this date we have not had any issues and/or complaints in relation to their abilities from personnel and/or Government Departments, I can also advise the ---*

It should read "that" but it reads "the" --- that yourself --- it has been redacted, Madam Chair, but I have an understanding with Ms Ellyard that Mr Aggarwal's name is referred to in this part of the letter and his business partner:

5

.... form part of my Operational Support team"

Can I just direct your attention to that part of the letter. SSG is a separate entity from Unified, isn't it?

10

MR AGGARWAL: Yes, correct.

MS CONDON QC: You don't form part of Unified's operational support team and neither does your business partner; correct?

15

MR AGGARWAL: Yes.

MS CONDON QC: Thank you, Mr Aggarwal, those are the questions I have.

20

MR AGGARWAL: Thank you.

MS ELLYARD: Thank you, Madam Chair, I'm not on notice of any further applications in respect of the panel but I see Mr Moses and Ms Harris. Perhaps I'll call on them in the order in which I saw them, in case there are any late applications arising from the evidence that has been given. Perhaps Mr Moses first.

25

MR MOSES SC: No, I have no questions to ask of the witness about what was just raised by my learned friend for the Department. It can be dealt with on the documents.

30

CHAIR: Thank you, Mr Moses.

MS ELLYARD: Then I understand my learned friend Ms Harris for the Department of Health and Human Services may have an application.

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MS HARRIS QC: Madam Chair, the questions I would propose to ask would be for Mr Attalah and Mr Gupta and they would be very brief. It relates to questions about the training and their understanding of when that applied, including arising out of questions from Ms Golshtein about the practices when they were or were not advised of a person who may be COVID-positive in the hotel. It will be very brief.

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CHAIR: All right. I'll let you proceed on the basis that it is going to be brief, Ms Harris. I'm very conscious that the --- the fact that the panel have been sitting there and responding to questions for just on three hours now. So, as long as your assurance that you are going to be brief is so, I'll let you put those matters now.

45

MS HARRIS QC: Thank you, Madam Chair. And I appreciate the witnesses have

been in the box for a long time, so I will be very brief.

CROSS-EXAMINATION BY MS HARRIS QC

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MS HARRIS QC: Mr Attalah and Mr Gupta, you were asked some questions by Ms Golshtein about the MSS Security training module that your staff were asked to complete. Do you remember that?

10

MR GUPTA: That is correct.

MR ATTALAH: Yes.

15 MS HARRIS QC: You said your staff had completed that training module. Did I understand that correctly?

MR GUPTA: They would have completed. Whether they completed 100 per cent or not, I can't confirm it right away right now.

20

MR ALLEN: Madam Chair, can I be heard before these questions are answered by Mr Attalah?

CHAIR: Yes, Mr Allen.

25

MR ALLEN: [indistinct] as I appear on behalf of Mr Attalah.

CHAIR: I'm sorry, unfortunately you can't actually be heard. Go on.

30 MR ALLEN: The question [indistinct] and the response was [indistinct].

CHAIR: Sorry, Mr Allen, for some reason your sound is cutting out.

MR ALLEN: Can I be heard now? Is that better?

35

CHAIR: Yes, it is.

MR ALLEN: The objection I raise is in relation to what was said by Ms Harris to be the effect of the evidence given earlier by Mr Attalah. The question asked by Ms Harris was:

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.... you were asked some questions by Ms Golshtein about the MSS Security training module that your staff were asked to complete.

45 And then she asked:

You said your staff had completed that training module. Did I understand that

correctly?

That in fact wasn't the effect of the evidence and I just wanted to make that objection clear before the answers were given.

5

CHAIR: Ms Harris.

MS HARRIS QC: My question was to ascertain whether that was the effect of Mr Attalah's evidence. I can put it another way, if the Chair pleases.

10

You remember being asked about that training module and when it was completed?

MR ATTALAH: Yes, I do remember being asked about it.

15

MS HARRIS QC: Can you recall what was the evidence you gave about that training module?

MR ATTALAH: I didn't give much evidence about it. I said that we had received those emails and I remember seeing the email that was sent on 30 March.

20

MS HARRIS QC: And the training module included some requirements about, for example, 1.5m social distancing, PPE use, hand hygiene. Do you understand that your staff would have understood those aspects of the requirements of working in the hotels?

25

MR ATTALAH: Yes, that's correct. And it was portrayed every day with their supervisor, hand hygiene and the 1.5m social distancing.

30

MS HARRIS QC: And is that something that you understood would apply all of the time while staff were on duty at the hotels?

MR ATTALAH: Yes, absolutely.

35

MS HARRIS QC: Do you believe that your staff would have understood that that applied all of the time that they were working at the hotels?

MR ATTALAH: I believe so, to the best of my knowledge.

40

MS HARRIS QC: Thank you. Mr Gupta, I think you did say that your staff had undertaken most if not all of those training modules. Can I ask whether your staff would have understood those basics of 1.5m social distancing, PPE use and hand hygiene? Do you believe that they would have got those elements of the training?

45

MR GUPTA: Absolutely.

MS HARRIS QC: And do you believe that they complied with those requirements while they were on duty at the hotels that they were serving at?

MR GUPTA: Wherever it was practically possible and conducive to do so, yes.

5 MS HARRIS QC: For example, there might have been occasions where they were in a green area and didn't have to use PPE; is that right?

MR GUPTA: Again, I wasn't there on the ground so I wouldn't be able to comment on that particular question.

10 MS HARRIS QC: But your understanding is that your staff understood that those were the basics: 1.5m social distancing, using PPE and hand hygiene?

15 MR GUPTA: Absolutely. I think, apart from all the training we are referring to here, there was a lot of knowledge about these measures in the public domain as well, through advertisements and other measures as well, so there is no reason for me to believe that, you know, they wouldn't have taken these basic precautions.

20 MS HARRIS QC: You later use the phrase in your evidence, Mr Gupta, "business as usual". So business as usual for the practices of your guards on site would have been compliance with those basics, is that the case?

MR GUPTA: Absolutely. When I say business as usual, within the scope of what was the requirements of that business as usual.

25 MS HARRIS QC: You also mentioned, for example, your understanding that there was an incubation period for COVID-19, it might be a period when guests who were in quarantine --- can I rephrase that. You did refer to your understanding that there was an incubation period for COVID-19 of between five to 14 days; is that correct?

30 MR GUPTA: Yes, one to 14 days, to be precise.

MS HARRIS QC: So that there may be people in quarantine, mightn't there, that would be in an incubation period but potentially not yet showing symptoms?

35 MR GUPTA: That's correct.

MS HARRIS QC: So with the security guards behaving as business as normal, they would be using those business as normal practices around all guests; is that the case?

40 MR GUPTA: That's correct, as per the PPE advice provided by DHHS at all times.

45 MS HARRIS QC: So when you were asked some questions by Ms Golshtein about interactions with guests, for example, those interactions would have been on a business as normal basis of maintaining 1.5m distance and using PPE appropriately; is that the case?

MR GUPTA: As I said, as and when what was the prevailing advice provided by

DHHS, that would have been taken care of as part of business as normal.

5 MS HARRIS QC: Very briefly, Mr Attalah, is it your understanding that those standards of 1.5m social distancing, those really basic ones, and hand hygiene, would have been adhered to at all times in interactions with guests who were in hotel quarantine?

MR ATTALAH: Yes, absolutely. It was always known to do it that way.

10 MS HARRIS QC: Thank you, Madam Chair.

CHAIR: Thank you, Ms Harris. Nothing further, Ms Ellyard?

15 MS ELLYARD: No, Madam Chair. May I ask that the witnesses be excused, with our thanks to them for their levels of endurance. It was a very long session and I extend my thanks to them.

20 CHAIR: It was a very long session, gentlemen, and I too thank you for your perseverance. We would have normally taken a mid-morning break to allow everyone the opportunity to get refreshed. So I thank you for your patience and your attendance and you are now otherwise excused.

MR ATTALAH: Thank you, Madam Chair, and thanks Ms Ellyard.

25

THE WITNESSES WITHDREW

30 MS ELLYARD: Madam Chair, the witness listed for 2 o'clock, or perhaps slightly after depending upon the Board's preference, is Mr Watson from Wilson Security and Mr Neal QC will be leading his evidence. May I invite you to adjourn now to an appropriate time after lunch, noting that we have run on a little bit.

35 CHAIR: Yes. And to make sure, as you understand, Ms Ellyard, but others might not, that there are a number of people supporting the Board in doing a number of tasks, including stenographers and operators and so on, just to ensure that everyone has a proper lunch break, we will come back at 2.15 rather than 2.00.

40 MS ELLYARD: Thank you, Madam Chair. May I indicate, for the benefit of those listening, I have not forgotten the applications that are on foot for the tendering of additional material relating to security but I invite them to hold off on making that application until after lunch, so that everyone can have a break.

45 CHAIR: Thank you. We will adjourn now until 2.15.

MS ELLYARD: Thank you, Madam Chair.

ADJOURNED

[1.10 PM]

5 **RESUMED**

[2.15 PM]

CHAIR: Yes, Ms Ellyard.

10 MS ELLYARD: Thank you, Madam Chair. Just as a final item on the evidence of
the subcontractors, in addition to the subcontractors who you heard from this
morning, the Board also obtained witness statements from a number of other
subcontractors which were made available on the hearing book for the parties'
15 purposes. The decision was made not to tender them, but I understand an application
it is to be made firstly on behalf of Wilson and then on behalf of MSS for the tender
of one or more of those statements, notwithstanding that the witnesses aren't being
called.

20 I perhaps defer, first, to Mr Craig on behalf of Wilson for their application.

CHAIR: Yes, Mr Craig, and I understand from Ms Ellyard that the application is not
opposed?

25 MS ELLYARD: That's so.

MR CRAIG SC: Can I ask, Madam Chair, whether you've received a written
submission that we've provided in respect of this issue?

30 CHAIR: I have, Mr Craig, I've received it and been able to read it, and I'm satisfied
it's appropriate to allow you to take that course of action to tender those statements.
There's a huge range of material, as you can appreciate, that the Board has gathered,
and some of it touches upon matters in various ways, and in endeavouring to be
efficient and keep to the timelines and take into account all relevant material,
35 a certain amount of judiciousness needs to be exercised to ensure that ultimately the
Board's not swamped with material in such a way that I'm not able to properly deal
with all of the material that comes before me.

40 But I have had the opportunity to read your submission. I understand your position,
and I will allow you to make the tender that you seek to do.

MR CRAIG SC: Thank you, Madam Chair. So that is then to formally tender the
statement of Mr Sinadinov of Nuforce and Mr Banks of Signal 88.

45 CHAIR: Yes. So I'll mark the first statement as Exhibit 56 and --
[Audio replaying]

MS ELLYARD: I'm not sure what's happening, Madam Chair.

CHAIR: I appear to be making an address to myself.

5 MR CRAIG SC: I think if Mr Watson goes on mute, the problem might be solved. Yes. I apprehend that Mr Watson is on a slight delay, Madam Chair, and we were hearing the replay of what we just exchanged. I think you were giving the Sinadinov statement Exhibit No. 56?

10 CHAIR: Number 56, thank you.

EXHIBIT # 56 - STATEMENT OF DARKO SINADINOV

15

MR CRAIG SC: And the Banks statement is the second one.

CHAIR: The Banks statement is the second one.

20

EXHIBIT # 57 - STATEMENT OF DAN BANKS

CHAIR: I should observe for your benefit, Mr Craig, and indeed the benefit of the
25 others, your colleagues with leave to appear with respect to judicious decisions about tendering, you will see, of course, in the interests of ensuring that the parties have material available, made available to them, that was the basis upon which those documents appeared in the hearing book, so that it was being made clear by Counsel Assisting that there was material that parties with leave to appear may feel was
30 relevant or of significance to their particular client, but not necessarily for the purpose of Counsel Assisting tendering it to the Inquiry. So that's the basis upon why that material is there, to do exactly that job.

MR CRAIG SC: Thank you, Madam Chair, and I'm indebted to my learned friend
35 for drawing that to our attention.

CHAIR: Thank you. So Exhibits 56 and 57, yes.

MS ELLYARD: I understand a similar application, Madam Chair, is to be made on
40 behalf of MSS Security with respect to one of the documents that appears on the hearing book as a statement of another subcontractor.

CHAIR: Yes.

45 MS GOLSHTEIN: Yes, thank you, Madam Chair. We would seek that the statement of Mr Abdul Hamid Eddie Chakik be tendered for the Board's consideration. As Ms Ellyard has suggested, that statement did appear in that third

folder for consideration. We would say that the statement is positive evidence of an operations manager of one of MSS Security's subcontractors, Ultimate Protective Services, who was retained for the program. It's as a matter of completeness, Madam Chair, that that be tendered to complete the picture.

5

CHAIR: Thank you, Ms Golshtein, and that is now marked Exhibit 58.

MS GOLSHTEIN: Yes, thank you.

10

EXHIBIT # 58 - STATEMENT OF ABDUL HAMID EDDIE CHAKIK

MS ELLYARD: Thank you, Madam Chair, I am going to sit down now in the virtual sense and defer to my learned leader who is going to be calling the next witness.

15

CHAIR: Thank you, Ms Ellyard. You're excused.

MR NEAL QC: Thank you, Madam Chair. Before I do call Mr Watson, there was one matter that was overlooked on Monday after a lot of discussion in relation to the witness statement of [Redacted], it wasn't formally tendered, and I do tender it now with the documents referred to in folder B in the hearing book. I think there may be an issue or two in relation to redactions as still outstanding, Madam Chair. So it may be that that document doesn't find its way into the public forum until we've resolved that.

20
25

CHAIR: Yes. Obviously there were various applications made with respect to the redactions of certain parts of the statements. Those applications, as you will recall, were successful, Mr Neal. So I'll mark [Redacted]'s statement as Exhibit 59.

30

EXHIBIT # 59 - STATEMENT OF PRINCIPAL POLICY OFFICER

35

CHAIR: The documents were in a separate bundle, or are they part of the --- attached to the statement?

MR NEAL QC: I believe they're in a folder B bundle.

40

CHAIR: Right. So I'll give the folder B bundle an Exhibit number of 60.

EXHIBIT # 60 - ANNEXURES TO STATEMENT OF PRINCIPAL POLICY OFFICER

45

MR NEAL QC: Thank you. I do now call Mr Watson.

CHAIR: Thank you.

5 Mr Watson, I think you can probably see us. You will need now to unmute yourself for the purposes of ---

[Audio replaying]

10 MR CRAIG SC: Madam Chair, I'll seek to have this resolved by speaking with our team, if there's an issue with the audio.

15 CHAIR: There does appear to be, Mr Craig. So we would be grateful to you endeavouring to address that, otherwise it might plague us now whilst your client is giving evidence.

Sorry, Mr Watson. I'm not sure whether or not you can hear what's happening, but we appear to be on some sort of delay. So I keep on hearing myself speaking back to you.

20 [Audio replaying]

25 CHAIR: We will persevere, at the moment, Mr Neal, and hope that Mr Craig is able to resolve whatever issue is causing that to happen. I will have my associate endeavour to take Mr Watson through his solemn promise for the purposes of giving his evidence.

So, Mr Watson, let's try unmuting you again.

30 [Audio replaying]

CHAIR: Just mute yourself again, please, Mr Watson, will you.

35 Mr Craig, can you enlighten me as to what you think is happening?

MR CRAIG SC: Mr Watson is on Zoom, Madam Chair, so it should be working. What we're going to do is he's going to disconnect and reconnect and hopefully that will solve the problem.

40

CHAIR: All right. Thank you. We'll just stand by whilst that happens.

Shall we try that again, Mr Watson?

45 MR WATSON: Yes, please.

CHAIR: Thank you, Madam Associate.

GREGORY WATSON, AFFIRMED

5

CHAIR: Thanks, Mr Watson. I'll hand you back to Mr Neal now.

MR NEAL QC: Thank you, Madam Chair.

10

EXAMINATION BY MR NEAL QC

MR NEAL QC: Mr Watson, would you state your full name and occupation, please?

15

A. Gregory Robert Watson, General Manager, Regional Operations.

Q. For Wilson?

20

A. Wilson Security, yes.

Q. Mr Watson, you've provided a witness statement to the Inquiry originally of 18 August 2020, and I understand that needed some corrections, and that's been done, and you have now, have you, signed a further witness statement dated 25 2 September 2020?

A. Yes, I have.

Q. Do you have that statement to hand?

30

A. Yes, I do.

Q. And to the best of your knowledge, is the statement now true and correct?

35

A. Yes, it is.

Q. In your statement, you exhibit a number of documents and I understand you wish those documents to be read in conjunction with your statement?

40

A. Yes.

MR NEAL QC: Madam Chair, then, I tender the statement of Mr Watson of 2 September 2020, and the documents that are in folder B in the hearing book.

45

CHAIR: So Mr Watson's statement will be Exhibit 61, and the folder B documents Exhibit 62.

EXHIBIT # 61 - STATEMENT OF GREGORY WATSON

5 **EXHIBIT # 62 - ANNEXURES TO STATEMENT OF GREGORY WATSON**

MR NEAL QC: Thank you.

10 Mr Watson, in your capacity as general manager, could you state your general role and duties?

A. I'm responsible for the contract delivery in Victoria and Tasmania, which includes service delivery, client management, and general contract compliance for the
15 business.

Q. And to whom do you report in the business hierarchy?

A. The CEO, Mr Nick Frangoulis.
20

Q. At paragraph 20 of your statement, you include as one of your services, the one that you're involved with, "the delivery of services to vulnerable individuals or those who have been detained". Could you tell the Board what the nature of that business is?
25

A. Yes. That relates to part of our business in Tasmania for the Department of Health and Human Services down there, where we're responsible for the transportation of youth from one of the youth detention centres down there to and from court, to and from specialist appointments and other, you know, family bereavements, et cetera, as well as we also look after the psych hospital associated with Risdon Prison.
30

Q. And could you describe the nature of the duties that your personnel perform in the hospital environment?
35

A. In the broader hospital environment, we're involved --- there's many levels of service. It crosses over from control room and reception, access control type duties, through to site patrols, through to assisting in emergency departments for, you know, admissions of acute cases, and also a service looking after patients if they require someone with them all the time.
40

Q. And when you assist in emergency environments, what's the nature or scope of the duties that your staff would perform?

A. Normally in support of the clinical staff. So to enable them to go about their duties, and to protect them from any particular forms of aggression or indeed violence if that was to occur.
45

Q. And for that purpose, does your staff undergo particular training?

A. Yes.

5

Q. As opposed to staff deployed on other jobs, I mean guarding sites, et cetera, et cetera, do they have specialised training for that purpose?

A. Yes. Most sites have a degree of specialised training, but hospitals particularly, because of the nature of the duties, where they're dealing with people who might be either distressed or unwell or increasingly, these days, present with mental health issues or other type of aggression issues, substance abuse issues, it's necessary that the people are trained in de-escalation techniques, communication skills, and just general preventative measures to support the clinical staff in doing their work.

10
15

Q. Is that training undertaken by Wilson or by the hospital concerned or --

A. Both, actually. It's in combination with the hospitals. They tend to --- there's a range of different programs which are based on the full continuum from communication skills, de-escalation skills, right through to physical restraint in cases where that might be necessary. There's various acronyms for that training. There's a MOVAT training, there's MOCA, which is medical and clinical aggression training. They tend to be very similar in nature in terms of what's involved, but hospitals tend to choose what they prefer.

20
25

Q. In terms of your staff, are those jobs fulfilled by permanent staff of Wilson?

A. Mostly.

Q. Are there circumstances in which you would use casual staff or external contracting staff?

A. Yes. If there's not full-time rosters, for example, there might be part-time or casual staff to make up the hours, because typically, you know, there might be busy nights of the week, for example Friday, Saturday, Sunday nights tend to be busy in emergency departments in some public hospitals, so they would have additional people on-site. And then sometimes, like at the moment, there might be COVID testing facilities on site which is a short-term --- well, we hope short-term, but it's a surge requirement which won't be ongoing in the long future. So where appropriate, we may use contract staff to assist that service.

35
40

Q. If I can just step back from detail for the moment. In terms of the Hotel Quarantine Program, we'll come to when you became engaged in a moment, but did you have staff dedicated to that program?

45

A. Yes, we did.

Q. Could you describe for the Board what staff --- well, perhaps I can take you to the point. You describe there being an operating cell in respect of the Hotel Quarantine Program. Could you explain to Madam Chair what that was?

5 A. Yes. When we first became aware of the program and were asked if we could support it, we brought together our senior leadership team and our health and safety specialists and our Comcare team and our corporate risk specialists, and we sat down and we started to workshop how we would approach this project from the information that we knew. One of the first decisions, which the CEO nominated in
10 consultation with the team, was that we would have a dedicated operating cell, which meant we would have a team of managers from our corporate risk specialist area who would take over and run this project, and that was partially because of their expertise in running specialist events, but also so that it didn't become a burden on the main core business, because we had to fulfil our normal business arrangements whilst we were running this program.
15

Q. You appreciate in your statement certain names have been redacted, so I don't wish you to refer to people by name, with the exception of Mr Hogan, whose name is in the public domain. But as I understand it, you say the cell was a gentleman who
20 was the General Manager of Specialist Services as one man, one person; Mr Hogan, whose role is National Corporate Risk Manager --

A. Yes.

25 Q. --- another gentleman who has Security Risk Specialist as his job description --

A. Yes.

Q. --- and another who is the National Protection Manager. Now, as to those four
30 people, they were the "operating cell"; is that correct?

A. They were the project management team.

Q. Yes.
35

A. So they overviewed the whole project for our involvement in the hotels, and they directly supervised the site managers and the supervisors that were also on site.

Q. And what was the nature of your liaising with that cell over the course of the
40 Hotel Quarantine Program?

A. Mr Hogan was the project lead, and he reported to me for this project. So I had regular interaction with him and the team, and as an aside to that, we set up a little consultation group, again with the General Manager of Specialist Security and
45 myself, where we had daily updates with Mr Hogan of what was occurring in the hospitals --- hotels, sorry.

Q. Bit of each, perhaps.

If I can again just take the Board back to an overview before we come to detail.
Your company was involved in the Hotel Quarantine Program from 30 March as
5 an on-the-ground presence, until 5 July; is that correct?

A. Yes, in varying degrees.

10 Q. Yes. And you were deployed at four hotels through the program in which you were involved?

A. A maximum of four, but generally we were only ever in two hotels, particularly from 17 April. We were only in two hotels for the remainder of the program.

15 Q. In total you provided service to four hotels, and do I understand you to say mostly you were involved at two at one time?

A. Correct, yes.

20 Q. And through the course of rendering services in this program, were any of the employees of Wilson or any of its contractors --- did they in fact become infected with COVID-19?

25 A. No, they were not.

Q. In terms of Wilson's business, does it have a standing staff, that is, permanently employed people?

30 A. Yes, we have about nearly 1,600 permanently employed staff.

Q. In Victoria?

A. Yes.

35 Q. If you could briefly describe the process at Wilson for engaging staff.

A. We have a recruitment team which forms part of the human resources team, and it's a multi-stage process whereby there needs to be approval for the requirement to recruit. So once we've established a need, it will then be advertised either internally,
40 on our own intranet, or via Seek or other medium. People will then make application to the company. Their applications are vetted for, you know, experience, relative work history, licensing credentials, all of the types of things that might be required. They are then matched to specific job profiles, and they will then go through
45 an interview process. If they're progressing forwards through the process, there will then be reference checks. There's a medical declaration. And then finally, they would be interviewed by the manager responsible for the area where they might be deployed if they're offered a formal contract.

Q. So that's as to Wilson staff. It is the case, as I understand it, that Wilson does employ contract staff as well.

5 A. Yes.

Q. And did in fact during the course of this program?

A. Yes.

10

Q. In terms of contracted staff compared to the process you've just described, is there a relevant difference in the way in which those staff are identified and accepted?

A. Yes, the focus is on the compliance of the company that's providing the employees. So we have quite a detailed process where the company, if they're being entertained to be a provider with us, then they have to submit all their compliance documents, which is typically insurances, their corporate licences, their labour hire licence, if they've been granted one yet, and they will then be vetted, the accredited checks, et cetera.

20

If successful with that, they will be asked to sign a provision of services agreement with us, which is a formal agreement between our companies, and we would also ensure which pay instrument they're using and we'll comply with that.

25 Q. In terms of the security industry and the licensing provisions, do I understand there is a scale of licences depending on the nature of the job concerned?

A. There is. There are broad categories. But I guess in the static security side, you know, there's provisions for what they call crowd control and static security, as well as, you know, there's --- you have to be licensed, for example, canine security, mobile patrols. There's a range of different duties that you could be licensed for.

30 Q. I don't mean anything pejorative, but is the basic licence a licence which would enable someone to be deployed for crowd control, unarmed, site surveillance, that sort of thing? Is that the way it works?

A. Broadly. You can be licensed to perform static security, which is mainly around asset protection, whereas you also have to be licensed for crowd control to work in specific areas pertaining to crowd control and event security.

40

Q. In terms of the Hotel Quarantine Program, was there, to your knowledge, any specification about the nature of the licence that any guard had to hold?

A. No, I don't believe so.

45

Q. Do you know whether Wilson in fact sought people at a particular licensed level for the purposes of the job, or did anyone with a licence suffice?

A. Well, certainly from what we could see, the licence provisioning was met in terms of it was, you know, a static role, which fitted in with the security licensing provisions.

5

Q. So that if someone held a licence for crowd control, for example, they would be suitably licensed for the job?

10 A. Yes. Well, crowd control is added to the standard licence. So generally, people would either have a general licence, a security licence, and then they would add crowd control to that, just as they would add control room operator, et cetera. So we assess that the standard licence was suitable. But in many cases, the majority of people have crowd control as well.

15 Q. At paragraph 26 and following of your statement, you refer to the usual sort of services Wilson supplies. And as I understand it, the core business is longer-term contract business?

20 A. Yes.

Q. And from time to time, according to your statement, Wilson will provide ad hoc, as in short-term, engagements but usually for existing clients. Is that the position?

25 A. Yes, it is. That's the position.

30 Q. You also state at paragraph --- excuse me a moment --- that you provided services to the Victorian Government in relation to a number of matters, major events and the like. You also indicated --- I think it's 36 of your statement --- that you have provided, if I can take you to paragraph 36(d) of your statement, that you've also provided personnel for high-risk engagements such as in connection with the 2007 equine influenza outbreak. What was the nature of the services provided in that context?

35 A. The nature of those services were border control, basically. So teams of security officers were deployed up on the border areas between Victoria and New South Wales, and we acted --- it was mainly checking vehicles, acting in support of the police in sort of border control at that time.

40 Q. Before you approached the job in the Hotel Quarantine Program, was any of the previous reference --- experiences that you had as a company analogous to the role that you played in the Hotel Quarantine Program?

45 A. Look, there were a couple of recent examples, but this has been a fairly unique program in that infection control is one of the --- is the main objective. So to that extent, there hasn't been many projects about like that in the past. But we did recently, earlier this year, we sent a deployment to Japan to work on a quarantine project in relation to passengers from a cruise ship. So that deployment worked over

there. And we had a lot of key learnings out of that in terms of how it operated, how people behave when they're in quarantine, and what tends to happen over a period of time when people are restricted in their movement. And we also were running a project up at Howard Springs in the Northern Territory which also was for the purpose of incoming passengers being quarantined.

Q. Can you say in each case, each of those deployments, when that was?

A. Yes, I think Japan was about March. No, it was --- we were having a conference, I remember, anyway, so it was probably end of February, mid-February. It was actually being organised while we were in the conference. And Howard Springs was running at the time the Victorian program commenced.

Q. As a company, as I understand it, Wilson is on what's referred to as the State Purchase Contract Panel; is that correct?

A. Yes, it is.

Q. And could you explain to the Board the nature of the State Purchase Contract Panel?

A. Yes. In order to get onto the panel, they run --- and they did this in 2018. We've been on it for about 14 years now. But they renewed the process in 2018. It's conducted much like a normal tender process where they put out a request for tender. You have to respond and satisfy all the list of criteria. You go through a presentation phase. You go through a selection phase, short-listing. And if successful, you are admitted to the panel. And in Victoria, there are five companies who are on that panel. Now, what that normally means is when there's future government work up for tender, then the panel members are then invited to tender for that. Because it's based on you've already covered pre-existing compliance requirements, and it's considered you've got the capacity to tender for the work that's available.

Q. Yes. So in a sense, it works as a pre-approval process on agreed conditions, so that a Government Department, for example, can readily resource security services, in this case on the basis that there's an existing panel of approved suppliers, if you will?

A. Yes, very much so. And it works for existing work, and also if Government Departments that don't have a security service, if they want to take on a service, they would normally go to the panel members and invite them to either provide a price or otherwise continue with services.

Q. Now, if I can move to the --- I'm sorry, before I leave that. Am I correct in saying that the State Purchase Contract Panel enables particularly Government Departments, obviously, to access your services? In the event that your services are --- you've tendered for a particular job, then a Purchase Order Contract will issue, which is the particular contract for the job?

A. That's correct.

5 Q. So the State Purchase Contract, do I understand correctly, sits as almost a standard set of terms and conditions to which is added specific, project-specific conditions?

10 A. Yes. The State Purchase Contract is the overarching contract, and the Purchase Order Contract normally reflects similar terms and conditions, so they've already been agreed in effect, but the Purchase Order Contract will set out the specific scope of works for that assignment.

Q. Now, if I can take you back to the start of the contact relevant to the Hotel Quarantine Program.

15 You refer to that in your witness statement from paragraph 59 and onwards. You there state that you were first, or the company, I should say, was first contacted near midnight on Friday, 27 March with, as it were, an outreach to see if the company was interested, and that you reverted the following day, I think, seeking some further information about what the job involved.

20 A. Yes, that's correct. I was contacted about 7 o'clock on the Saturday morning by our CEO. He'd intercepted an email which had gone to a former CEO, so it actually didn't come directly to us. And he said, "We need to reach out," because that was the nature of the request from Ms Currie at the time. So I didn't --- I hadn't met
25 Ms Currie, so I decided to send her an email, being Saturday morning, just responding that, you know, "We've just got the email and we're happy to talk." And then I invited her to give me a call at her convenience.

30 Q. Yes. And I think the email that you quote at paragraph 63, you're saying that you're available, and in particular you'd like "to understand the scope of work and duties required so we can make an informed assessment about staff selection, specialist requirements and a thorough risk assessment and provision of PPE", from which I take it you were alive to some of the issues that might be presented if you were to engage in the program?

35 A. Very much so. As soon as we understood that it was about quarantine of incoming passengers to prevent the spread of infection from COVID-19, we immediately put our heads together to think about what does that mean for us in terms of providing security, what questions do we have, what information do we
40 need, what guarantees and controls, what support from other agencies. Because obviously this wouldn't be a standard type of deployment.

45 Q. Yes. And as I understand, you were in fact deployed on the ground at the Crowne Plaza on 30 March. So about a two-day turnaround time.

A. Two-day turnaround, but we actually didn't know what the scope of work was until we got to the Crowne Plaza at 4 o'clock on the Sunday afternoon for a site

walk-around. So it was at that point we met some Department representatives and there were some VicPol members present, as well as some other service providers such as --- I recall DNATA being present, and also hotel management. At that time, you know, we walked around, we got a bit more overview of the project. We walked
5 the site physically to look at what the requirements would be. And it was at that point that we realised this was going to be a fairly large deployment.

10 Q. In terms of your understanding at that point in time, how did you understand the role of security?

A. The understanding we had was that we would be there to support the Chief Health Officer in enforcing the quarantine conditions, and what that meant for us is that security would be there to prevent people from leaving. Very much we understood it to be an arm's-length type of operation, whereby --- if, for example, once someone's
15 in quarantine in their room, the theory was they would stay there for 14 days and not come out. So if anybody did open their door and come out, they were to be asked to remain in their room, and if they didn't comply, the understanding we had at that point was that VicPol would deal with any matters where there was no compliance.

20 Q. And beyond that, well, I might describe it as static role --- that is, being on a floor where people detained were accommodated --- is that the understanding you had of the extent of the role?

A. It was initially. Then at the walk-around, some new factors were introduced in terms of when the buses arrived which would be bringing the passengers in from the airport, there was a process to be followed to bring passengers into the hotel and for them to be registered and their paperwork completed by both the hotel and the Departmental representatives, and then a process for them to be escorted to their room, and once they were in their room, that was where they were supposed to
25 remain.
30

Q. And was that a role that was involving security staff, as you then understood it?

A. It was involving security staff, but more in a support role again, and I guess we made the judgment at the time that as long as we could maintain our infection control measures and maintain our social distancing and what have you, we could work in support of the Departmental representatives who would be interacting with the passengers, and our role would be more to escort them to their rooms, and when they're in there, act as a point of call to notify if anything happened after that. And
35 probably at that point, we realised there were some changes because we were asked to carry the luggage in from the buses, and that was a point of discussion at the site meeting.
40

45 Q. Yes. Did you have concerns around that?

A. Yes, I did.

Q. Why?

5 A. Well, firstly, we were concerned about the infection control issues that would present, if the security team had to be handling the luggage coming in, as well as moving through the hotel. Secondly, I had a concern because nowhere in the security award or indeed our own security agreement, our own enterprise agreement, does it talk about baggage handling as being part of security officers' duties. So I was a little concerned that if we start directing our staff to do that, then that might raise the ire of the union and get them involved, and then that raises the whole question of why did we do that when we know it's not proper duty. And then thirdly, because it's not a duty, we hadn't done any training or preparation. So I would suggest that, you know, leaning into the cargo hold of a bus and bending and pushing and stretching and pulling what could be potentially heavy bags was a risk and would require appropriate manual handling training.

15

Q. Yes. Did you have any concerns around infection control?

20 A. Well, yes, we did, because if they were handling bags and then moving through the hotel, that was something that we hadn't entertained at that point in time in terms of how we would handle that, because with all our procedures, they were written in mind with what we anticipated the role to be. We'd gone to our health and safety team for advice, and they in turn had gone to --- we'd employed an independent medical adviser. So all our procedures were run past Dr Pramodh, who would advise on what was appropriate, and we would then write that into our procedures and train our staff accordingly.

25

Q. So if I understand you correctly, then, your original conception of the role had to move with the times as some of the functions were defined to you?

30 A. That was very much the experience of the first week. So the luggage handling was the first issue we had to deal with, and there were several other issues during the week.

Q. If you could tell the Board what the other issues were?

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40 A. The first issue arose when after a couple of days, it became apparent that people weren't happy to stay in their room for 14 days. And you had issues like, you know, smokers, for example, being told they weren't allowed to smoke. So that obviously created issues for them. And it became apparent that then the authorised officers wanted to introduce what they called fresh air walks initially, and they asked security to perform that role. So when it first happened, there was no consultation with us as a company. It was the people on the ground were asked to do it. They initially raised their concerns. They floated it up to me, because the system we had was if Mr Hogan couldn't resolve something on the ground with the Departmental representatives, he would escalate to me, then I would make contact with the Department and we would have a discussion and reach a resolution on the duty. So I did that. I think it was about 6 April. I didn't get a response, and all went quiet on

45

site. And then we had an issue, I think it was on 8 April, when an authorised officer said --- instructed our staff to do a fresh air walk. The staff kind of pushed back in the sense that we hadn't been advised that we'd been cleared to do this duty, and at that point they were threatened with a \$20,000 fine for not following the instruction of an authorised officer.

So again that came back up to me, so again I shot an email across to the Department to say, "We need to resolve this because this is obviously not a good way to do business, having people threatened with fines while they're trying to enforce the quarantine conditions.

CHAIR: Mr Watson, when you say "the Department", can you be clear about which department you're talking about?

A. Yes, Madam Chair. My liaison was with the Department of Jobs, Precincts and Regions.

CHAIR: Thank you. Thank you, Mr Neal.

A. So we had a discussion about what it meant, and I think there's an email from myself which refers to our concerns, which was largely about, well, okay, apart from, again, infection control, you're moving through the hotel with people who potentially may have been exposed to COVID-19, or may not, but once they get outside, you know, what's our liability in terms of if someone decides to abscond? Because in the early days of the program, there were concerns about ensuring that people were detained in their quarantine conditions. So, you know, bringing them outside, well, what's going to happen then? So it was the fear of someone absconding, what happens then, what if they pre-arrange to meet up with their friends so they had that sort of casual contact outside, what if they accepted contraband or tried to smuggle alcohol or other stuff back into the hotel? So we raised those as legitimate issues.

We then had a resolution in that it was understood that we couldn't control those outcomes. We were very much asked to support the process. And if anybody was to do a runner or abscond, we were to let them go, and then it would be advised to the police, whose job it would be then to follow up under the terms of the *Quarantine Act*.

MR NEAL QC: So that deals with the question, I think, of fresh air walks, which added a dimension to the task, as you say. Were there issues in terms of baggage searching?

A. Yes, there was. Again, there were some changes in relation to people were allowed to accept care packages from their families, and I guess that's pretty understandable. People were concerned about their relatives in the Hotel Quarantine Program. But when the bags came in, the security team were asked to search the bags and go through them and remove any contraband, and contraband was considered to be either alcohol, cigarettes, or --- they didn't want cooked food

coming in either, and probably for good reason, so the hotel didn't want to have cooked food being brought in. So again at that point, we had concerns because we understood that we didn't have the legal power to conduct searches, and certainly confiscate items. So that was raised. And the resolution was we arrived at what
5 became known as the "footy bag check". So very similar to when you go into the MCG for a footy game and people sometimes say, "Well, they didn't even search me properly," but the reason for that is because the security officer actually doesn't have power to put their hands into your bag and move your items around and remove your items.

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So that was very much what we arrived at, and if there was anything controversial or people were concerned about contraband, then the authorised officer would be advised to make a decision on how to handle that.

15 Q. At what level were these extra tasks communicated to you? How did you become aware generally that there was a request to do a particular action that you weren't otherwise familiar with?

20 A. Generally there wasn't any prior consultation. It occurred on the ground, in that our people were instructed to do it by an authorised officer or another person. And when we pushed back and it became a bit of a stand-off, if you like, Mr Hogan would get involved and try and articulate our case. If it was at an impasse, he would escalate to me and then I would escalate it across to the Department of Jobs, and we would endeavour then to work out a compromise, which we normally did.

25

Q. So if I'm understanding, it was what I call an iterative process, things happened, you considered whether they were appropriate or not, there were discussions with the Department, and you're saying, as I understand it, the Department of Jobs in that case --

30

A. Yes.

Q. --- as to whether it was in your remit or not, and you reached ad hoc solutions to the particular requests?

35

A. Yes. We normally reached a compromise. I mean, I thought it was all fairly amicable and sensible. I didn't realise that we had won the reputation of being difficult to deal with at that point in time, so it was a little bit disappointing to learn that, because I think what we were pointing out were fair and reasonable in relation
40 to infection control measures and indeed the powers of a security officer.

Q. Yes. Now, you said in an earlier answer that you were deployed I think to four hotels in total, being the Pan Pacific, the Crowne Plaza, the Mercure Hotel and the Pullman Hotel?

45

A. Yes.

Q. And your first deployment was the Crowne Plaza?

A. Yes.

5 Q. I think your statement makes it plain that you were on site and delivering services from 30 March through to 5 May before there was actually a formal contract in place?

A. That's correct.

10

Q. So could I ask you, what did you understand of the terms and conditions under which you were working prior to that point in time?

15 A. Well, I'd fallen back on the master contract, the SPC contract. So we considered we were working under those terms and conditions. Also, you know, there was --- the deployment was done in good faith in terms that we would, you know, arrive at a contractual position.

20 Q. On 6 May then, there was the Purchase Order Contract executed, which formalised the position. Do I understand you to say that from that point in time, the nature of the tasks and obligations that you had were then more or less static, from that point onwards?

25 A. Yes. I think the first week was really the sorting-out week, that was the shake-out week. Most of the issues that occurred in relation to the duties occurred in that first week to 10 days, and then it was pretty well --- you know, we had an agreement --- it was agreed on site, and things ran pretty smoothly from thereafter.

30 Q. Did those changes cause any alteration to your provision of numbers to --- numbers of staff to sites or the particular sort of people you were deploying to site?

35 A. Yes, they did, because the introduction of the fresh air walks required additional teams and, you know, there were a team of four appointed at each hotel between the hours of 8 am and 8 pm to facilitate those walks. I think there were extras for, you know, receiving care packs, because there had to be recording and taking them up to rooms and that sort of things. The other main requirement for the fluctuating numbers was the flight numbers, and that was really quite random in terms of --- as incoming flights were forecast, the numbers bounced around a lot and what was anticipated often didn't happen, or the opposite. So as hotels filled, as they went to 40 a new floor, they'd introduce new people, and then conversely, at the end of the quarantine period, as people were allowed to leave, having fulfilled their 14 days, then the numbers would also de-escalate.

45 Q. So from your point of view, there was a level of difficulty in the sense of advance notice and knowing if an indication were given, that it would actually be required; is that fair to say?

A. It's fair to say, and really all we had was the 14 days. We really only knew we were there for 14 days, give or take a few days if flights come in after the original group. So it was very much a short-term peak/surge requirement.

5 Q. Yes. Given that you've been on site since 30 March and the contract is formalised on 6 May, what was your understanding in that interim period about your obligations in terms of providing personal protective equipment and providing training to your staff who were being deployed on site?

10 A. We made the decision very early, back on that first Saturday when we started doing our planning and when we brought our team together, and the team brought together experiences from all different risk requirements and backgrounds, and I guess over a long period of time, there's issues to do with the mass deployment of large groups of people, which are fairly common. So we drew on all of those
15 experiences to come up with a range of measures that we thought would help deliver the project, but also most importantly help with infection control measures. And so that's when we started looking at, okay, what would help? So we came up with PPE was very important, and I think --- people hopefully would understand that back in this time, the supply of PPE was quite random and really difficult to obtain. We had
20 a whole team of people back of house trying to source PPE both in Australia and overseas. We then had to do the packing and the distribution. And, you know, the operations team, my operations team have done a lot of that themselves and delivered it to sites, and it's quite an extensive logistical exercise to keep that running for a period of time. And it's still running now.

25 We also looked at, well, okay, meals. You know, if we provide the meals for the staff, they don't have to leave the hotel, so you reduce the risk of cross-contamination by going out of the hotel and mixing with other people, and it also prevents people bringing their own food and utensils and what have you into the hotel so they're then
30 mingling at the sink and you've got all those issues with hygiene of dishes, and what have you.

We also looked at car parking. We thought, well, okay, if we could provide parking, that would enable our security teams to bring in their own car and not incur a cost,
35 and would also prevent them being on public transport and prevent them engaging in car-pooling.

So there were a range of measures that we followed to help people manage the infection control issue, and then we overlaid that with a very strong management
40 team and presence to ensure that we were able to follow through with both our training, because the procedures were a big part of it as well, of course, all the COVID-19 guidelines, and once delivered, it's then a matter of reinforcing, constantly reinforcing people, to remind them of the basics involved in maintaining strict hygiene and social distancing.

45 Q. Do you accept that under the formal terms of the Purchase Order Contract, the provision of PPE and the training of staff, the onus was on Wilson to do that?

5 A. I do, but I think it was --- I do. It was in the Purchase Order Contract. But I think there were some things in that Purchase Order Contract which were added after we started the project, and I know initially with the PPE, it was a bit ambivalent in terms of which way it would go. I know the initial discussions, it was kind of like, "Well, have you got PPE?" "Well, yes, we've got some." And back to the Government, "Have you got PPE?" "Yes, we've got some." So I guess the way it started was we would try and supply, and we were kind of hoping that the Government would then also provide some to us, as they said they would. But in spite of that, we realised that, okay, we can't operate on "if, maybe, perhaps". So we made a decision right then that we would be able to supply our PPE, and we set about sourcing it, and we continued to supply it right through, and we received no PPE from the Government at all.

15 Q. Is it the case from start to finish that you supplied your own, albeit that you had to be resourceful, but the availability of PPE on site was not a problem for your personnel?

20 A. No, exactly, but we did do it ourselves, and we're indebted to a lot of people at our organisation who worked tirelessly behind the scenes to procure that PPE, and at our cost.

25 Q. I think a moment ago you adverted to the name of a doctor. Perhaps you could tell the Board --- well, perhaps, two things. First of all, as an organisation, prior to the Hotel Quarantine Program, COVID-19, did you actually have a more general pandemic policy in place?

30 A. Yes, we did. When this sort of --- we started back I think February, late January, February, when it first became apparent that it might impact Australia. And the company set up a crisis management team which set about developing a pandemic business plan or pandemic management and recovery plan. As part of that, which very much involved our health, safety and environment teams, they engaged the services of an independent medical adviser in Dr Pramodh, who is an epidemiologist, and he was retained to provide advice on the types of training that would be necessary to keep our people safe and also to advise on the effectiveness and the validity of the training materials and operating procedures that we developed.

Q. And was that ongoing through the course of the program?

40 A. Yes. It's still going now.

45 Q. And in terms of a typical employee turning up --- I'm sorry, employee or contractor turning up to site for a given shift, can I ask you two things. What understanding would they have of matters of PPE and infection control before they were on site, and what information or otherwise did they get once they were on site? If we can take a typical person on a typical day, if there was such a thing.

A. Yes. They were all asked to complete the Commonwealth Government COVID-19 Guidelines online module, so they were asked to complete that. When they came on site, they were then given a full briefing by our team, which covered --- in addition to that module, we had our own training guidelines on --- COVID-19
5 guidelines, and a lot of that mirrors what we hear from our health professionals in terms of social distancing, hand hygiene, cough etiquette, not coming to work if you're not feeling well, all those types of things, issue of PPE, how to use PPE and, you know, donning and doffing of masks and that sort of thing. And in addition to that, we introduced temperature checks at each site. So each security officer had
10 their temperature taken, and if their temperature was over 37.4 degrees, then they wouldn't be allowed to start their shift. We also introduced a fit-for-work declaration, and this was one in a Formstack format, so when it came in, it was completed by a supervisor who interviewed each of the staff, and it had check boxes on it, you know, do you have any sort of symptoms, runny nose, sniff, cough,
15 whatever, and then later we also added, have you worked at any other hotels in the Hotel Quarantine Program.

Q. Now, as to the times at which these ideas or these regimes were introduced, I think you said in your statement as to temperature checking, that was from 5 April
20 onwards?

A. Yes.

Q. And as to the declaration of fitness, that was from 7 April, but it actually evolved
25 a bit too; is that correct?

A. The original one was from 7 April, yes, and we added the question of whether you had worked at another hotel in the last 14 days, I think that came sort of late May, early June when there was concerns about the second wave starting to gather
30 momentum.

Q. And do I take it that was a measure of trying to maintain one cohort of workers at one hotel?

A. Well, no, we'd done that right from the start pretty much. So we had arranged our
35 teams so that the providers would only have one hotel each, and in the main, that was the case. So they were only ever required to supply staff for one hotel. And that meant that we didn't have that risk of cross-rostering or if someone drops sick at hotel A, they'd send someone from hotel B. So we had that pretty well in place from
40 the start and right throughout.

Q. Now, if I could ask you to look at paragraph 116 of your statement. Perhaps
paragraph 115 and onwards. You set out there the engagement of subcontractors. Now, can I ask you this. In respect of this program, was there a heavy reliance on
45 subcontracting?

A. There was in addition to our own employees. There was, due to the numbers

required.

Q. So again, and it might be a difficult question, in terms of a typical day on a typical site, what would be the mix in terms of your permanent staff and subcontracted staff?

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A. With the permanent staff on this occasion was 15 to 20 per cent of direct staff, because they were people that had been displaced from other positions as a consequence of COVID-19 reductions, and the remainder would be contract staff. But it's probably important that I point out, I think, that the reason why we need contract staff for a deployment of this nature is quite simply, in my experience, companies don't have 500 people just sitting around waiting for a phone call to say, "There's an emergency. Can you deploy people quickly?" And the reason for that is, you know, if those 500 people, if they were full-timers, they're guaranteed a minimum 38 hours a week, so that's not really effective. If they were part-timers, they need seven days' notice of a reasonable stable roster. And if they're casual employees, demand and supply takes over, and the labour migrates to where the work is. So it's really not practical for a company to maintain huge numbers of people waiting for an unexpected event.

20 Q. And in the case of the Hotel Quarantine Program, are the subcontractors that you identify at paragraph 116 regular subcontractors of Wilson's?

25 A. Some were. Some were regular and been with us for some time. Some had been used interstate by Wilson. And some had started with us in the retail work, because there was a retail surge prior to the Hotel Quarantine Program, and some started with us then.

Q. In terms of on-site training, was there any discrimination between contracted staff and Wilson staff in terms of what training, information and PPE they got?

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A. No, we treated everybody the same, and the reason for that is --- it's perhaps helpful for the Board to understand the way subcontracting works in the security industry, in that we don't discharge our obligations because they are contractors, we just don't hand off all our responsibilities. What we're after is the labour supply to supplement our own teams. So in that respect, we treat them as our own employees. So they were provided PPE, they were provided the meals, they were provided subsidised parking, they work under our management controls and overlay, and if they don't meet the same service standards as our own people, then they're removed from the program.

40

Q. So is the distinction you're making between what we might generally think of as a subcontractor who controls an element of their own work, in this case, a subcontractor is effectively a person supplied by another organisation to your job and under your control?

45

A. Yes.

Q. Now, in terms of the superintendents on site, in terms of Wilson's superintendence of its staff, what was the regime?

A. Sorry, do you mean supervision?

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Q. Supervision, yes.

A. Yes, sorry. Yes. What it was, there was a bit of a layered approach, hierarchy, if you like. So there was a shift supervisor on every shift. And then generally, underneath that, each contractor had a bit of a team captain, team leader for their own people. But Wilson supplied a shift leader for each shift, and that was part of the charge rates. Above that, we had a site manager at each site. So they were there for the business hours, mainly, you know, from 7 till 7 each day, seven days a week. So we provide managers for that. Then over the top of that was the corporate risk team. I guess they floated over the top and went to where they were required. So if there were passengers coming in, or leaving, they would be present and just generally trouble-shoot, then they reported to Mr Hogan who then reported to me.

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Q. Let me take it individually. The site managers, would they be Wilson employees?

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A. Yes.

Q. The site supervisors, would they be Wilson employees?

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A. Most were. Some were from a contractor that we had used for some time, and the calibre of the staff were known, and the corporate risk team were very comfortable with them, and they performed quite admirably in those roles.

Q. In terms of your personnel on site, did you regard them as subject to direction or instruction from any and what Departmental officers?

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A. Yes. Well, our understanding, and I think it's reflected in our procedures and it's reflected in a lot of the communication with the various departments, our understanding was that the authorised officer was the person in charge of the site.

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Q. Yes. And what was the basis of your understanding?

A. Well, as I just mentioned, they're mentioned at the outset in the detention order. They're mentioned as a point of escalation. I think there's a number of mentions in emails where, you know, the decision rests with the authorised officer. They organised the schedules for the fresh air walks, for example, so they provided the schedule, they determined the numbers, they then provided that information to security to implement the walks. Similarly with, you know, care packages, they were the ones to adjudicate on whether a care package could be distributed, whether alcohol could go to a room or it couldn't go to a room, all those types of decisions seemed to me on the ground went to an authorised officer for a decision.

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Q. To your knowledge, were those policies, for example in relation to what was or wasn't allowed in terms of food or alcohol, were they consistent across the sites at which your personnel worked?

5 A. I think across the sites there were. I think there was a little bit of, shall we say, flexibility in the first weeks or so, because I think there was perhaps a lot of individual interpretation, and I guess it was a tough decision for someone, if you've got people experiencing mental health issues or expressing various frustrations about their situation in detention. And authorised officers were presented with all sorts of
10 different situations where they had to make decisions. And I guess at the time, we weren't to know, but we now know they've come from all different walks of life and perhaps hadn't been in the role all that long.

Q. Could I take you back to the question of your particular contract, the Purchase Order Contract.
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A. Yes.

Q. In that document, you agreed to particular rates in terms of the guards and their supervisors. Was that correct?
20

A. That's correct.

Q. And do I take it that that was a commercial arrangement particular to the Hotel Quarantine Program?
25

A. Yes, it was.

Q. And in your case, did the formal contract allowance to Wilson, did it compensate you for the fact that you were supplying your own PPE?
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A. No, we didn't charge extra for it, if that's what you mean.

Q. I'm really asking was your rate set on the basis, your commercial rate, which was ultimately accepted, set on the basis that you were in fact taking on the obligation of PPE?
35

A. We prepared for that eventuality, because we felt at the outset when we weren't sure, our approach is that we are better to say we want to do this and --- because
40 these are conditions under which we provide our people on site, we want to be able to provide these facilities and these provisions for our people, and with such a rapid deployment, we couldn't be waiting around for several days to get a decision on whether people were going to supply PPE or whether they're going to supply meals or whatever. We were on the ground on Monday at 3 o'clock. So we had to have
45 those things in place, so we made a decision that we would provide them, and they would be inclusive in the rates structure.

Q. In employing --- well, I think we generally have referred to them as subcontractors, I think your statement refers to them as contractors, the next level of personnel, did you impose any restrictions on them in terms of subcontracting?

5 A. Yes, our provision of services agreement, that's our master agreement between the subcontractors and ourselves, prohibits further contracting.

Q. And is there a particular reason why you do that?

10 A. Yes, there is.

Q. And the reason?

15 A. The reason is because we want to deal with --- we want to deal with the entity that employs the people. So we don't want to be involved in any sort of multi-level contracting. And that's partly because we want to be --- we take steps to ensure that the direct contractor is charging fairly to cover their costs and make a small margin for themselves, and we compensate accordingly to allow them to do that. If they then contract below that, then we lose that sort of control and we lose, I guess, the
20 assurance of knowing that we're covering things appropriately.

Q. You're being delicate about that, but is it fair to say that the sort of downward pressure that that might exert, as you go further down a cascade of contracts, might end up with people who are getting poorly remunerated and who perhaps aren't
25 particularly good for the job? Is that a fair observation?

A. That's a fair observation.

30 Q. To your knowledge on this job, were any of those with whom you contracted, did they actually subcontract?

A. I understand that one did.

35 Q. When did that come to your attention?

A. Very late in the program, when we ran a normal subcontractor declaration process across our whole contractor network, which wasn't specifically to do with the Hotel Quarantine Program, because it was for our broader contractor program. And that was just a declaration that they come back in various areas of making a statement of
40 compliance, that they're honouring their agreement and what they signed up to with us.

45 Q. And with that process, did you detect that there was --- I think Mr Hogan refers to it as a tiering going on?

A. I believe there was --- look, it was only one, I'm reassured that it was one tier.

Q. And the process that you just described, did that flush out that fact? Is that what you're saying?

5 A. Yes. And that was a voluntary admission. So, you know, the contractor made that admission.

Q. Over the course of the supply by Wilson to the hotels that you identified, were there, to your knowledge, instances of unsatisfactory behaviour?

10 A. There were instances, yes.

Q. And I think at the end of your statement, you have an annexure which has been redacted. So we're not referring to the names of individuals.

15 A. Sure.

Q. But you set out there a list of behaviours that were drawn to attention, and the result of that happening. Can I ask you firstly, in terms of the numbers of incidents that we see here, was that a surprise to you? Was it average over a job? Or how would you describe it?

20 A. It's not a surprise, and I need to probably put that into context, because again, when you're dealing with a large number of people deployed in a fairly rapid time, my experience is that not everybody signs up to the job with the same degree of
25 enthusiasm. So we have issues where, you know, some people are less motivated, some might be there just because they have to be there, some have trouble following instructions. And I think any organisation that's dealing with large groups of people would probably share the same issues. I think the issue for us is that, you know, there's 23 incidents here. 21 of them occurred in the first fortnight of the project. So
30 we had a small cohort of people that we worked through, and some of these we took action ourselves, we didn't wait for the Department to tell us. We took the action to remove them from the program because they weren't meeting the standards that we required. After 15 April, there were only two such instances from 15 April to 5 July.

35 So I would argue very strongly that our management overlay and our attention to detail in terms of insisting on standards being met were successful.

Q. I make no argument to the contrary.

40 Is there a particular reason why, as you say, there was the bunching of the behaviours that caused people generally to be terminated, why it occurred in that period, as you properly say, from the start of the program to about the middle of April?

45 A. I think it was probably just the general shake-out of the rapid deployment, because we all had to move quickly. Probably some of them happened towards the end of the first week or during the first week, so when people are finding their feet and we're coming to grips with what the job really requires. There was also changes

in duties, as I mentioned, and some people weren't perhaps suitable for those duties.

I think people need to also understand the framework in which they're operating and they need to understand the rules of governance, and I think at Wilson we're fairly
5 noted for putting in pretty robust standards and frameworks, and we follow through. There are consequences for not complying with our procedures. And for people that perhaps haven't worked with us before, that might be a bit of a surprise to them and they find that they're being challenged on their behaviours. If we didn't put in place those frameworks or if we didn't follow through with consequences, then I would
10 suggest we'd probably have some problems.

Q. In that annexure, you identify dates, behaviours and consequences.

A. Yes.
15

Q. And you give a reasonably high-level --- high proportion of them, I take it when you are saying "individual ceased work", that their services were terminated?

A. From that project.
20

Q. On that project. Was that a standard particular to the project, or that was standard in terms of how Wilson would react?

A. Look, it's fairly standard, depending, of course, on what the offence is. You
25 know, if someone's made a mistake, you know, we do take a reasonable approach to that. If someone's made a mistake and, you know, they want to make amends. But in this case, you know, we weren't dealing in a normal environment. The consequence of non-compliance was the risk of infection of COVID-19. So we took pretty well a no-prisoners approach, that this needs to be run very strictly and people
30 need to comply with our instructions, because this is not the type of environment where, you know, you can have latitude.

Q. I want to take you back, if I may, to a point that you cover at paragraphs 75 to 77 of your witness statement. It relates to the role played by Victoria Police, and in
35 particular at paragraph 76. Have you got that?

A. Yes.

Q. At paragraph 76, you would appear to be indicating that the inspector there, the
40 VicPol inspector, was actually giving instruction about deployment of security staff on a floor, as it were, well, almost doing your job. Now, I want you to understand there's some controversy about that. It would be said, I think, on his behalf that VicPol's role was external largely to the building, managing ingress and egress from the building, managing traffic around the building, rather than internally dictating
45 which staff of yours would be standing where on which floor. What do you say about that?

A. As I recall, I mean, that was on the 30th, so --- I think what I recall most is there were police present also at Crowne Plaza the evening before. My understanding and my recall is that, you know, there was consultation on what the number should be, and I recall that the police did have views on that. I do recall in that case at Pan
5 Pacific he was very emphatic about external egress points and public walkways and the roadway in. And I'm just trying to --- I can't say conclusively that he dictated what occurred inside the hotel, but was there generally in advice.

The main thing I do recall, though, was that at Crowne Plaza, it became pretty clear
10 that the police weren't intending to be there 24/7, which is what we'd been led to believe, whereas at Pan Pacific, it was a little bit more emphatic that there would be a police presence constantly, although that, I think, turned out not to be the case internally, although they might have been in the precinct.

15 Q. So from the time you were first deployed, if you had had some previous understanding, if it was by the 30th --- are you saying it was clear to you that police would have the escalation function that you referred to and be generally in the precinct rather than be on site as such?

20 A. Yes. It became apparent that the response or the point of escalation was by calling 000, which caused concerns for us.

Q. What were the concerns?

25 A. Well, I guess if there was an incident which involved aggression or potential violence or domestic violence, calling 000 might not be an immediate remedy to help resolve that issue.

Q. And the onus might be cast on your staff; was that your concern?

30 A. That was our concern, yes.

Q. I think to try and capture something more generally, you've described an approach
35 to this task, this challenging task, where you had the advantage of some background in hospital and other environments, and that you had some pre-planning in place by reason of the experiences you had, I think in the Northern Territory and in Japan. Could I ask you this question, because the Board is always going to be concerned to understand in terms of whether the system was working well, whether it was feasible. Had you not had those sorts of experiences and been thrust into the same
40 circumstance, was it a feasible program for security staff?

A. Yes, I think it was a feasible program, because I think we were able to
45 demonstrate that we had many of the attributes and planning skills that would make it a very workable program, and the fact that we performed for 13 weeks and had no positive cases indicates that, you know, there was some success in what we did. But I think if you look at it, security is a very scalable, rapidly deployable resource. So you've got a group of people there that are capable of manoeuvring that. You've also

got management teams that are capable of training and leading and managing. The security licensing system enables security officers to be prepared for a range of different situations, such as de-escalating difficult situations. They're often in the frontline in the public arena where they're dealing with people in various states of either disarray or distress. So they develop skills for that.

So I think those sorts of attributes, coupled with, you know, good establishment of systems, good governance systems and strong management overlays, underpinned by specialist training, would make it very, very appropriate that security perform the role.

Q. It's a question I think that's often being asked of people in your position. Were the circumstances to occur again, would you take the job on again?

A. We would take the job on again, but I think in spite of the fact that we were considered difficult, I think we would be more assertive upfront in terms of getting more details of what was involved and more assurances about some of the parameters and controls around the program.

CHAIR: And can you be a little bit more specific about that, Mr Watson, for me?

A. Yes, certainly. I think --- look, there's no doubt the program was set up very, very rapidly, and I think in general people were doing their best to manage a situation that was put upon them. And I think had we had the benefit of more planning and more consultation and to be able to discuss some of the issues which emerged in the first weeks, then it might have helped everybody have a better understanding of the respective roles of the different stakeholders. I think also it would have helped to develop and implement a more cohesive response which focused on infection control, infection control measures, and part of that was through the understanding of respective roles and people playing a part in the chain of services that made up the system. So I think that and taking some learning from the specialists in the infection control world would have been very beneficial and helped everybody to be on the same page.

CHAIR: And you said --- much earlier in your evidence, you spoke about the experience of your company being engaged I think in you said either in February or March of this year with respect to a cruise ship in Japan, and I understood you to mean a cruise ship that had passengers at least potentially infected with the coronavirus. Have I understood that correctly?

A. Yes, that's correct, and they went offshore for their quarantine period.

CHAIR: So you were engaged in a similar sort of role with respect to those people in quarantine?

A. Yes. Yes, we were.

CHAIR: And you made a reference to some of the learnings you took away from that experience, and I inferred you meant you then brought those learnings to the task you were given in the context of the Victorian program; have I understood that correctly?

5

A. Yes, that's correct.

CHAIR: Are you able to take me through just in fairly --- in terms in which you can remember, what those sorts of learnings were? I think you made reference also just to issues such as people's behaviour.

10

A. Yes, certainly. And I think to the best that I can, Madam Chair, it's that when people are put into a situation of detention for 14 days, people respond differently. Some people see it as a minor inconvenience, and "Oh, well, we'll get through this." Other people have great difficulty. And I guess the manifestations of human behaviour start happening very soon. So the learnings from that were that there would be issues, issues like mental health issues, the requirement for exercise breaks, there are people who might have pre-existing illnesses who have special requirements.

15

20 There are issues of food. Just catering for dietary requirements creates a lot of issues for the organisers or the caterers. And it became pretty apparent fairly soon that Uber Eats, you know, that style of external delivery was something that caught on very quickly with our experience in Japan, whereas it was banned here initially, until, you know, the forces came to be that people relented and allowed Uber Eats for people with special dietary conditions, and it probably then became more flexible after that. So those types of issues.

25

CHAIR: So when you say that you took some of those learnings into setting up and developing the parameters of the program from the point of view of how your company sought to deliver its role, am I to understand that in the discussions with those various people that you detailed at the beginning of your statement were engaged in the planning and development of your response, those learnings were embedded in those discussions?

30

A. That's correct. They were embedded in our planning for the types of measures that we implemented for our staff, yes.

35

CHAIR: And at any point, did you have the opportunity to discuss what you had learnt and understood from that experience with other parts of the hotel quarantine system? And I include effectively all of the moving parts of that complex operation.

40

A. Not really. We offered it upfront in our opening position and opening questions when we're seeking clarity on the role, and I in fact mentioned the case study of Japan, but it wasn't taken up.

45

CHAIR: When you say you mentioned it, to whom did you mention it?

A. There's an email to Ms Currie on Sunday, 29 March which had a lot of our initial questions, and I put in there just a paragraph on a case study on the experience we'd had in Japan.

5

CHAIR: Thank you. Thanks, Mr Neal.

MR NEAL QC: Thank you, Madam Chair.

10 Mr Watson, could I just take you back to the question of on-site supervision or other parties on site who were instructing or directing your services. Was there on site, to your knowledge, a site manager from DJPR?

15 A. It was reported to me by Mr Hogan that there was at some sites but not all, and at various times.

Q. And what role --- did you understand the role of that person?

20 A. Again, it was advised to me that the role was perhaps more around the logistics and the support functions in terms of the arrangements for the hotel, the arrangements for the security, but it appeared to me --- my conclusion from what I was informed was that most decisions in relation to the guests fell to the authorised officers.

25 Q. And for each site, was there also a contract manager?

A. From Wilson?

30 Q. No, no, no; from DJPR.

A. I don't know.

MR NEAL QC: Excuse me, Madam Chair. If the Chair please, those are the questions I have for this witness.

35

CHAIR: And have you had indicated to you, Mr Neal, that there was anyone else, any of the parties with leave to appear who wanted to ask any questions of Mr Watson?

40 MR NEAL QC: I have. Ms Condon and I have had some correspondence about questions she might like to raise, and I believe they've been attenuated and I'm not sure if they still exist.

45 CHAIR: I can see Ms Condon on the screen. I'm sure she'll tell me whether or not that's so, Mr Neal.

MS CONDON QC: Thank you, Madam Chair. I did have a number of matters, but

I no longer wish to pursue them with Mr Watson, so thank you, Madam Chair.

CHAIR: Thank you, Ms Condon.

5 MR NEAL QC: Otherwise, similarly with Ms Harris, my last understanding was that Ms Harris did want to press some matters.

MS HARRIS QC: Those matters have now been resolved with Mr Neal's questions. Thank you, Madam Chair.

10 CHAIR: All right. Thank you, Ms Harris.

MR NEAL QC: And lastly, I had correspondence with Ms Davidson, which I endeavoured to address, and I'm not sure whether they're pressed.

15 CHAIR: I think you might be on mute, Ms Davidson. We can't hear you at the moment.

MS DAVIDSON: Sorry. No, they're not. They're not pressed.

20 CHAIR: All right. So nothing further from you?

MS DAVIDSON: No.

25 CHAIR: Thank you. I can see at least part of Mr Craig on the screen.

MR CRAIG SC: Sorry, Madam Chair. I was only just going to alert my learned friend to the need to tender Mr Hogan's statement and exhibits as well, given it's Wilson's witnesses today.

30 MR NEAL QC: Yes. Thank you. I was aware of that. It seems we have concluded with Mr Watson at least.

35 CHAIR: Yes. So, Mr Watson, thank you for your attendance at the Board, and you're now excused.

A. Thank you, Madam Chair. Thank you, Mr Neal.

40 MR NEAL QC: Thank you, Mr Watson.

THE WITNESS WITHDREW

45 MR NEAL QC: As Mr Craig has said, Madam Chair, the other gentleman with whom Mr Watson frequently worked is Mr Shaun Hogan, and the intention is to tender Mr Hogan's witness statement. That's a statement of Shaun Hogan of

21 August 2020, along with a folder of documents in folder B in the hearing book.

CHAIR: Thank you. I'll mark the statement of Mr Hogan as Exhibit 63, and the folder B documents as Exhibit 64.

5

EXHIBIT #63 - STATEMENT OF SHAUN HOGAN

10 **EXHIBIT # 64 - ANNEXURES TO STATEMENT OF SHAUN HOGAN**

MR NEAL QC: And I think, Madam Chair, those are the witnesses for today.

15 CHAIR: Yes.

MR NEAL QC: And my learned friend Ms Ellyard has tomorrow, as I understand it, witnesses from MSS Security and also from Unified Security, the exact detail of which I think has been somewhat in flux, but those are the witnesses that are intended to be called tomorrow.

20

CHAIR: On behalf of those two companies?

MR NEAL QC: Yes.

25

CHAIR: Thank you, Mr Neal. That completes today's proceedings. I will adjourn until 10 tomorrow.

MR NEAL QC: Thank you, Madam Chair.

30

**HEARING ADJOURNED AT 3.57 PM UNTIL 10.00 AM ON THURSDAY,
3 SEPTEMBER 2020**

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